ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 85.

An Act for dividing Lands in the Parish of *Wicklewood*, in the County of *Norfolk*. [27th *May* 1808.]

WHEREAS there are within the Parish of *Wicklewood*, in the County of *Norfolk*, divers Inclosures and Fields of Arable Land, Meadows, and Pasture Grounds, and other Lands, Commons, and Waste Grounds, which are computed to contain together One thousand and five hundred Acres, or thereabouts: And whereas the Right Honourable *John* Lord *Wodehouse* is Lord of the Manor of *Wicklewood*, and claims to be entitled to the Soil of the said Commons and Waste Grounds, or some Part thereof: And whereas *Richard Heber* Esquire, and *Elizabeth* the Wife of *William Kett* Esquire, are Lord and Lady of the Manor of *Wicklewood Ampnors*, and claim to be entitled to the Soil of the said Commons and Waste Grounds, or some Part thereof; and the said *Richard Heber and Elizabeth Kett* are seised of, or entitled to, the Rectorial or Great Tythes of and arising from the Lands and Grounds in the said Parish of *Wicklewood*; and the said *Richard Heber* and *Elizabeth Kett* are Patrons of the Vicarage of *Wicklewood* aforesaid: And whereas the Reverend *Samuel Routh* is the present Vicar of the Vicarage of *Wicklewood* aforesaid, and in Right thereof is entitled to certain Glebe Lands, Vicarial Tithes, and other Dues, Rights, and Interests within the said Parish of *Wicklewood*: And whereas the said *John* Lord *Wodehouse*, *Richard Heber*, *Elizabeth Kett*, the Reverend *Samuel Routh*, the Reverend *Ellis Burroughes*, the Reverend *William Papillon*, the Reverend *John Colman*, *Thomas Tawell Colman*, *William Daniel*, and divers other Persons

respectively, are the Owners and Proprietors of all the Messuages, Cottages, Lands, and Tenements, situate and lying within the said Parish of *Wicklewood*: And whereas an Act was passed in the Forty-first Year of
41 G. 3. c. . 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 said Arable Lands, Meadows, Pastures, and other Lands, lie intermixed and dispersed in small Parcels, and are therefore inconvenient to the several Occupiers, and of less Value to the respective Proprietors thereof, and the said Commons and Waste Grounds in their present State yield but little Profit, and are incapable of much Improvement, and it would be beneficial to the several Persons interested, if the several Rights to which the same are now subject were extinguished, and if the said Commons and Waste Grounds, together with all such Arable Lands, Meadows, Pastures, and other Lands, were divided, and specific Parts or Shares thereof allotted unto and inclosed by the several Persons interested therein, according to their several and respective Estates, Rights, and Interests: But as such Extinguishment, Division, and Allotment cannot be effected without the Authority of Parliament; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Dugmore* of *Swaffham*, in the County of *Norfolk*, Gentleman, *William Unthank* of the City of *Norwich*, Gentleman, and *John Mitchell* of *Wymondham*, in the said County of *Norfolk*, Gentleman, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for valuing, dividing, allotting, exchanging, and inclosing the said Arable Lands, Meadows, Pastures, and other Lands, Commons, and Waste Grounds in *Wicklewood* aforesaid, and for carrying this Act into Execution, subject to such of the Powers, Authorities, Directions, Regulations, Restrictions, and Provisions contained in the said recited Act, as are not altered, varied, or otherwise provided for by this Act; and all Acts, Matters, and Things authorized or necessary to be done and executed by the said Commissioners in pursuance of this Act, and the said recited Act, may be done and executed by any Two of them, and the same shall be as good, valid, and effectual, and shall have the same Force and Effect, as if such Acts, Matters, and Things had been done and executed by all the Commissioners herein-before named, or to be appointed as hereafter mentioned.

Commissioners appointed.

Election of new Commissioners.

II. And be it further enacted, That if any of the Commissioners herein named, or to be appointed by virtue of this Act, shall before the Execution of all the Powers and Authorities vested in them die, or refuse or become incapable to act in the Execution of this Act, then and in every such Case, it shall be lawful for the surviving or remaining Commissioner or Commissioners, and he or they is and are hereby required, at any Time within Forty Days next after such Death, Refusal, or Incapacity shall be known to him or them, by Writing under his or their Hand or Hands, to appoint another Person not interested in the Premises, to be a Commissioner in the Room or Stead of each Commissioner so dying, or refusing or becoming incapable to act; and every Commissioner so to be appointed as aforesaid shall, after taking and subscribing the Oath or Affirmation

mation prescribed in that Behalf, have the like Powers and Authorities for carrying the said recited Act and this Act into Execution in all Respects, as if he had been named a Commissioner in this Act.

Notice of Meetings.

III. And be it further enacted, That the said Commissioners shall, and they are hereby required, to cause Notice in Writing of the Time and Place of their First and every other Meeting for the Execution of this Act, to be inserted in the *Norfolk Chronicle* or *Norwich Mercury* if then published, and if not, then in some other publick Newspaper then published or circulated in the County of *Norfolk*, Eight Days at least before every such Meeting (Meetings by Adjournment only excepted); and if at any Meeting appointed to be holden by the said Commissioners, no more than One Commissioner shall attend, then and in every such Case, the Commissioner attending may adjourn such Meeting to such Time and Place as he shall think most convenient, giving Notice of such Adjournment to the absent Commissioners: Provided always, that all such Meetings for carrying this Act into Execution shall be holden either in the said Parish of *Wicklewood*, or within Eight Miles thereof.

Other Notices how to be given.

IV. And be it further enacted, That all other Notices necessary to be given by the said Commissioners, in pursuance of this Act or of the said recited Act, for any Purpose whatever (except such Notices as are in and by this Act authorized or particularly directed to be given in any other Manner), shall be published and given by Advertisement to be inserted in the said *Norfolk Chronicle* or *Norwich Mercury* if then published, and if not, then in some other Newspaper published or circulated in the County of *Norfolk*, and in and by Writing to be affixed upon the principal Door or other conspicuous Part of the Parish Church of *Wicklewood* aforesaid; and all such Notices so given shall be deemed to be well and sufficiently published and given, and full and sufficient Notice to all Parties concerned, respecting all the Matters and Things to which such Notice shall relate; any Thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

To shortening Boundary Fences.

V. And be it further enacted, That in order to shorten the Boundary Fences between the Lands and Grounds by this Act directed to be divided and allotted, and the adjoining Parishes, it shall be lawful for the said Commissioners, with the Consent in Writing under the Hands of the Lords or Ladies of the Manor or Manors, and of the Majority in Value (to be ascertained by the Assessment to the Poor Rate), of the Land Owners interested in any Commons or Waste Grounds adjoining to the said Parish of *Wicklewood*, and also under the Hand of any Owner of any adjoining Land upon which any such Fence shall be intended to be made, to set out, ascertain, and determine the Boundary Fences to be made between the Lands and Grounds by this Act directed to be divided and allotted, and the Lands and Grounds adjoining thereto, as they shall judge proper for the Purposes aforesaid; and after such Boundary Fences shall be so set out, ascertained, and determined, the same shall be fenced by such Persons, in such Manner, and at such Times as the said Commissioners shall direct, and shall for ever thereafter be deemed and be taken to be the Boundary between the said Parish of *Wicklewood* and such adjoining Parish or Parishes; any Law, Usage, or Custom to the contrary thereof notwithstanding.

VI. And

Encroachments within Thirty Years to be allottable; beyond Thirty Years confirmed.

VI. And be it further enacted, That all Encroachments which ſhall have been made within Thirty Years laſt paſt, upon the Commons and Waſte Grounds by this Act directed to be divided and allotted, ſhall be deemed Part of the ſaid Commons and Waſte Grounds to be ſo divided and allotted; but no ſuch Encroachments which ſhall have been made more than Thirty Years, ſhall be liable to the Claim of any other Perſon againſt the preſent Poſſeſſor, on the Ground of ſuch Encroachment having heretofore been Part of the ſaid Commons and Waſte Grounds; and in caſe any Diſputes ſhall ariſe touching any ſuch Encroachments, or the Extent thereof, ſuch Diſputes ſhall be determined by the ſaid Commiſſioners.

Encroachments to be allotted to Perſons in Poſſeſſion, if &c. or to be ſold.

VII. Provided always, and be it enacted, That the Lands and Grounds comprized in any Encroachments which ſhall have been made within Thirty Years laſt paſt, ſhall (without regard to the Value of any Improvements ſince made thereon), be allotted to the Perſon or Perſons in Poſſeſſion thereof, ſo far as he, ſhe, or they ſhall be entitled to any Allotment of ſufficient Value by virtue of this Act, and ſhall deſire ſuch Encroachment to be ſo allotted, and ſhall ſignify ſuch Deſire in Writing to the ſaid Commiſſioners at their Firſt or Second Meeting to be holden in purſuance of this Act; and in that Caſe the Value of ſuch Encroachments ſhall, as Circumſtances require, be deducted from or deemed a Compenſation for the Allotment or Allotments to which ſuch Perſon or Perſons ſhall be entitled under this Act; but if the Perſon or Perſons in Poſſeſſion of ſuch Encroachments ſhall not be entitled to any Allotment by virtue of this Act, or ſhall not be entitled to an Allotment of ſufficient Value to admit of ſuch Deduction for the Value of ſuch Encroachments being made as aforeſaid, then and in either of thoſe Caſes, the Whole or the ſurplus Quantity (as the Caſe may be), of ſuch Encroachments ſhall be ſold by the ſaid Commiſſioners, and conveyed by them in Fee Simple to any Perſon or Perſons who ſhall become the Purchaſer or Purchaſers thereof, and the Money ariſing from ſuch Sale or Sales ſhall be applied towards defraying the Expences of obtaining and executing this Act; and the Overplus, if any, ſhall be applied and diſpoſed of in Manner hereinafter directed.

Licenſed Encroachments.

VIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to prejudice or diminiſh the Right of any Perſon or Perſons whomſoever, to any Encroachments upon the ſaid Commons and Waſte Lands, notwithſtanding the ſame ſhall have been made within Thirty Years now laſt paſt, in caſe the ſame ſhall have been made by virtue of any Licence, Conſent, or Grant from the Lord or Lords of either of the Manors before mentioned; and which Licence, Conſent, or Grant ſhall, before the paſſing of this Act, have been entered or enrolled in the Court Books of one of the aforeſaid Manors; and that no Perſon or Perſons who, at the paſſing of this Act, ſhall be in the Poſſeſſion of any Encroachments heretofore made by virtue of any ſuch Licence, Conſent, or Grant as aforeſaid, ſhall at any Time hereafter be liable to the lawful Suit, Claim, or Interruption of any other Perſon or Perſons whoever, on the Ground of ſuch Encroachment having heretofore been Part of the Commons and Waſte Grounds: Provided always, that no Perſon or Perſons poſſeſſing any Encroachment whatever ſhall, in reſpect thereof, be entitled to any Allotment or Allotments out of the Commons and

Poſſeſſion confirmed,

but Right of Common diſallowed.

Waſte Grounds to be divided and allotted by virtue of this Act, if ſuch Encroachment ſhall at any Time within Sixty Years now laſt paſt, have been Part or Parcel of the ſaid Commons and Waſte Grounds.

Commiſſioners to ſettle Differences.

IX. 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 the reſpective Rights and Intereſts, Shares and Proportions which they or any of them ſhall claim to have in, to, or over the Lands and Grounds hereby directed to be divided and allotted, or concerning any Timber, Wood, Underwood, Buſhes, Thorns, Whins, or Furze growing thereon, or concerning any other Matter or Thing relating to the ſaid Diviſion and Allotments, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required to examine into, hear, and determine the ſame: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to enable the ſaid Commiſſioners to determine the Title to any Meſſuages, Cottages, Lands, Tenements, or Hereditaments whatſoever.

Commiſſioners not to *determine* Titles.

Commiſſioners may aſſeſs Coſts.

X. 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 Act or the ſaid recited Act, or upon the Hearing and Determination of any Diſpute or Difference as aforeſaid, 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, or Body or Bodies Politick, Corporate, or Collegiate, whoſe Claim or Claims, Objection or Objections ſhall be thereby diſallowed or over-ruled, or againſt whom the ſaid Commiſſioners ſhall have determined as aforeſaid; and in caſe the Perſon or Perſons, or Body or Bodies Politick, Corporate, or Collegiate, who ſhall be liable to pay ſuch Coſts and Charges, ſhall neglect or refuſe to pay the ſame on Demand, then and in 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, or Body or Bodies Politick, Corporate, or Collegiate, ſo neglecting or refuſing to pay the ſame, rendering the Overplus (if any) upon Demand to the Perſon or Perſons, or Body or Bodies Politick, Corporate, or Collegiate, whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

Power to try Rights by an Iſſue at Law at the Aſſizes.

XI. Provided always, and be it further enacted, That in caſe any Perſon or Perſons, or Body or Bodies Politick, Corporate, or Collegiate, intereſted or claiming to be intereſted in the ſaid intended Diviſion and Allotments, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners, touching or concerning any Claim or Claims of any Right or Intereſt in, over, or upon the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, then and in every ſuch Caſe, it ſhall be lawful for ſuch Perſon or Perſons, Body or Bodies Politick,

Corporate or Collegiate, ſo diſſatisfied, to proceed to a Trial at Law of the Matter ſo determined by the ſaid Commiſſioners, at the then next or at the following Aſſizes to be holden for the ſaid County of *Norfolk*, and for that Purpoſe the Perſon or Perſons, or Body or Bodies Politick, Corporate, or Collegiate, who ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners, ſhall within One Month next after ſuch Determination ſhall be made and declared, cauſe an Action to be brought upon a feigned Iſſue againſt the Perſon or Perſons, or Body or Bodies Politick, Corporate, or Collegiate, in whoſe Favour ſuch Determination ſhall have been made; and the Defendant or Defendants in ſuch Action or Actions ſhall, and he, ſhe, and they is and are hereby required to name an Attorney or Attornies, who ſhall appear thereto, or file Common Bail, and accept one or more Iſſue or Iſſues whereby ſuch Claim or Claims, and the Right or Rights thereby inſiſted on may be tried and determined (ſuch Iſſue or Iſſues to be ſettled by the proper Officer of the Court in which the ſaid Action or Actions ſhall be commenced, in caſe the Parties ſhall differ about the ſame); and the Verdict or Verdicts which ſhall be given in ſuch Action or Actions ſhall be binding, final, and concluſive upon all Perſons whomſoever, Body and Bodies Politick, Corporate, and Collegiate, unleſs the Court wherein ſuch Action or Actions ſhall be brought ſhall ſet aſide ſuch Verdict or Verdicts and order a new Trial to be had therein, which it ſhall be lawful for the Court to do if the ſaid Court ſhall think proper; 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.

If no Action, the Commiſſioners Determination to be final.

XII. Provided always, That the Determination of the ſaid Commiſſioners touching ſuch Claim or Claims, of the Rights or Intereſts in, to, over, or upon the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, which ſhall not be objected to, or being objected to, the Party or Parties objecting ſhall not cauſe ſuch Action at Law to be brought and proceeded in as aforeſaid, ſhall be binding, final, and concluſive upon all Parties: Provided alſo, that if any of the Parties in any ſuch Action to be brought as aforeſaid, ſhall die pending the ſame, ſuch Action ſhall not abate by Reaſon thereof, but ſhall be proceeded in as if no ſuch Death had happened.

Death of Parties not to ſtop Proceedings at Law.

Trial not to ſuſpend the Execution of the Powers of this Act.

XIII. Provided always, and be it enacted, That no ſuch Difference, Suit, or Proceeding as aforeſaid, nor any Difference, Diſpute, or Proceeding touching the Title to any Lands, Tenements, or Hereditaments, ſhall impede or delay the ſaid Commiſſioners in the Execution of this Act; but the Diviſion and Allotments hereby directed to be made ſhall be proceeded in notwithſtanding any ſuch Difference, Suit, or Proceeding.

Proviſion in Caſes of Death of Parties before Actions brought.

XIV. Provided always, and be it further enacted, That if any Perſon or Perſons in whoſe Favour any ſuch Determination as aforeſaid ſhall have been made, and againſt whom any ſuch Action or Actions might have been brought if living, ſhall die before any ſuch Action or Actions ſhall have been brought, and before the Expiration of the Time herein-before limited for bringing ſuch Action or Actions, it ſhall be lawful for the Perſon or

Perſons, Body or Bodies Politic 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 of the ſaid Commiſſioners with Proceſs for commencing ſuch Action or Actions, in the ſame Manner as the Party or Parties might have been ſerved therewith if living; and it ſhall thereupon be incumbent on the Heir or Heirs, or other Perſon or Perſons who ſhall claim the Benefit of ſuch Determination as aforeſaid, to appear and defend ſuch Action or Actions in the Name or Names of the Perſon or Perſons ſo dead, and Proceedings ſhall be had therein in the ſame Manner as if ſuch Perſon or Perſons had been actually living; and the Rights of all Parties ſhall be equally bound and concluded by the Event of ſuch Action or Actions.

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

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

Turves not to be cut after Act paſſed.

XVI. And be it further enacted, That if any Perſon or Perſons ſhall after the paſſing of this Act cut, dig, pare, grave, flay, take or carry away any Turves, Flags, Whins or Furze in, upon, or from the ſaid Commons and Waſte Grounds, without or contrary to the Licence of the ſaid Commiſſioners firſt obtained in Writing for that Purpoſe (which Licence the ſaid Commiſſioners are hereby empowered to grant, under ſuch Regulations and Reſtrictions as they ſhall think proper to inſert therein) then and in every ſuch Caſe the ſaid Commiſſioners, upon Proof thereof made before them upon the Oath of One credible Witneſs, ſhall and they are hereby required by Warrant under their Hands and Seals, directed to any Perſon or Perſons whomſoever, to cauſe any Sum of Money not exceeding Five Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, 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; and the Money ſo to be levied as aforeſaid, ſhall be applied towards defraying the Coſts and Charges of obtaining and executing this Act.

Application of Penalties.

For extinguiſhing or ſuſpending Rights of Common before the Award.

XVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners at any Time or Times before the Execution of their Award, to order and direct, by Notice under their Hands to be for that Purpoſe given and affixed to the principal Door or other conſpicuous Part of the Pariſh Church of *Wicklewood* aforeſaid, all and every or any Rights or Right whatever, in, over or upon the ſaid Commons and Waſte Grounds or any Part thereof to be extinguiſhed, or the Exerciſe thereof to be ſuſpended for and during ſuch Time and Times as ſhall be expreſſed in ſuch Notice; and all and every ſuch Rights and Right which the ſaid Commiſſioners ſhall ſo order and direct to be extinguiſhed, or the Exerciſe thereof

thereof to be ſuſpended as aforeſaid, ſhall from the Time of affixing ſuch Notice on the ſaid Church Door, ceaſe, determine, and be extinguiſhed, or the Exerciſe thereof ſhall be ſuſpended accordingly; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Carriage Roads to be ſet out, &c.

XVIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and required, in the firſt Place, before they ſhall proceed to make any of the Diviſions and Allotments directed by this Act, to ſet out and appoint all and every the public Carriage Roads and Highways in, through, and over the ſaid Lands and Grounds hereby directed to be divided and allotted, and to divert, turn and ſtop up any of the preſent Roads in, through, or over any Part of the ſaid Lands and Grounds, as the ſaid Commiſſioners ſhall judge neceſſary; ſo as the Roads and Highways to be ſet out and appointed by the ſaid Commiſſioners, ſhall be and remain Thirty Feet wide at the leaſt, and be ſet out in ſuch Directions as ſhall upon the whole appear to them moſt commodious to the Public; and the ſaid Commiſſioners are further required to aſcertain the ſame by Marks and Bounds, and to prepare and ſign a Map in which ſuch intended Road ſhall be accurately laid down and deſcribed, and to cauſe the ſame when ſo ſigned to be depoſited with their Clerk for the Inſpection of all Perſons concerned; and as ſoon as may be afterwards, the ſaid Commiſſioners ſhall give Notice in one of the public Newſpapers then publiſhed or circulated in the County of *Norfolk*, and alſo in and by Writing to be affixed upon the principal Door or other conſpicuous Part of the Pariſh Church of *Wicklewood* aforeſaid, of their having ſo ſet out ſuch Roads, and depoſited ſuch Maps as aforeſaid, and alſo of the general Lines of ſuch intended Carriage Roads; and ſhall alſo appoint, in and by the ſaid Notice, a Meeting to be held by the ſaid Commiſſioners at ſome convenient Place in *Wicklewood* aforeſaid, or within Eight Miles thereof, and not ſooner than Fourteen Days from the Date and Publication of ſuch Notice; and at ſuch Meeting, if any Perſon who may be injured or aggrieved by the ſetting out of ſuch Roads, ſhall attend and object to the ſetting out of the ſame, then and in every ſuch Caſe ſuch Commiſſioners together with any Juſtice or Juſtices of the Peace acting in and for the Diviſion in which the ſaid Pariſh of *Wicklewood* is ſituate, and not being intereſted in the ſaid Diviſion and Allotment, ſhall hear and determine ſuch Objection and the Objections of any other ſuch Perſon, to any Alteration that the ſaid Commiſſioners together with any ſuch Juſtice or Juſtices may in conſequence propoſe to make; and the ſaid Commiſſioners and ſuch Juſtice or Juſtices as aforeſaid ſhall and they are hereby required, according to the beſt of their Judgment upon the whole, to order and finally direct how ſuch Carriage Roads ſhall be ſet out, and either to confirm the ſaid Map or make ſuch Alterations therein as the Caſe may require; and all Roads, Ways and Paths, in, through, and over the ſaid Pariſh of *Wicklewood*, or any Part thereof, which ſhall not be ſet out or finally ordered and directed as aforeſaid, ſhall be for ever ſtopped up and extinguiſhed, and ſhall be deemed and taken as Part of the Lands and Grounds to be divided and allotted by virtue of this Act, and ſhall be divided and allotted accordingly: Provided always, that none of the preſent Roads within the ſaid Pariſh of *Wicklewood* ſhall be ſhut up and diſcontinued, until the Roads which ſhall be intended to remain or be the public Roads in future ſhall be ſet out in the Manner by this Act directed,

and

and until the ſame ſhall be properly formed and made ſafe and convenient for Horſes, Cattle and Carriages.

Allotment to Truſtees for poor Inhabitants legally ſettled, &c.

XIX. And be it further enacted, That the ſaid Commiſſioners ſhall (after ſetting out ſuch public Roads and Ways) aſſign, ſet out, and allot, unto the Lords or Ladies of the ſeveral Manors before mentioned, and to the Vicar of the Vicarage of *Wicklewood*, and to the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Wicklewood* for the Time being, and to their Succeſſors for ever, as Truſtees for the poor Inhabitants of the ſaid Pariſh of *Wicklewood* legally ſettled therein, ſuch Part or Parts of the ſaid Commons and Waſte Grounds (not exceeding Twelve Acres in the whole) as the ſaid Commiſſioners ſhall think moſt proper and judge reaſonable for the Purpoſes herein-after mentioned; and ſuch Allotment or Allotments ſhall on the Execution of the Award of the ſaid Commiſſioners be veſted in the ſaid Lords or Ladies of the ſaid ſeveral Manors before mentioned, and the Vicar of the ſaid Vicarage, and the Churchwardens and Overſeers of the Poor of the ſaid Pariſh of *Wicklewood* for the Time being for ever, as Truſtees for the ſaid poor Inhabitants of the ſaid Pariſh of *Wicklewood* legally ſettled therein; to the Intent that the ſaid Truſtees for the Time being ſhall permit and ſuffer the poor Inhabitants of the ſaid Pariſh of *Wicklewood*, who ſhall be legally ſettled therein, to cut, take, and uſe Turf, Peat, and Fuel (if any there be) on ſuch Part or Parts of the ſaid Allotment or Allotments, in ſuch Quantities and at ſuch Time or Times in each and every Year and under ſuch Regulations and Reſtrictions as the ſaid Truſtees for the Time being or the major Part of them ſhall direct or appoint and not otherwiſe; and the ſaid Truſtees for the Time being or the major Part of them are alſo hereby empowered from Time to Time, by Writing under their Hands and Seals, to leaſe or demiſe the whole or ſuch Part and Parts of the ſaid Allotment or Allotments which ſhall not produce Turf, Peat, or Fuel, as they from Time to Time ſhall think proper, to any Perſon or Perſons whomſoever, for any Term of Years not exceeding Twenty-one Years, to commence in Poſſeſſion and not in Reverſion; ſo that in every ſuch Leaſe there be reſerved and made payable to the ſaid Truſtees for the Time being or the major Part of them, by Two equal Half-yearly Payments in every Year, the beſt and moſt improved yearly Rent or Rents that can be obtained for the ſame, without taking any Income, Fine, Premium, or Foregift in conſideration of granting any ſuch Leaſe; and ſo as in every ſuch Leaſe there be contained proper and fair Covenants on the Part of the Leſſee for the Uſage and Management of the Land thereby demiſed, and for leaving the ſame in a proper State and Condition at the Expiration of every ſuch Leaſe; and ſo as in every ſuch Leaſe there be contained a Power of Re-entry for Non-performance of the Covenants therein contained, and for the Non-payment of the Rent thereby reſerved, within a reaſonable Time to be therein limited, after the ſame ſhall happen to become due, together with all other uſual Covenants, Stipulations, and Proviſoes between Leſſors and Leſſees, and ſuch Security for the Performance of the ſame as the ſaid Truſtees, or the major Part of them, ſhall think moſt proper to be inſerted therein; and the Rents and Profits ariſing from the ſaid Allotment or Allotments ſo let and demiſed, ſhall from Time to Time be laid out in the Purchaſe of Fuel, and ſuch Fuel ſhall be diſtributed amongſt ſuch poor Inhabitants as aforeſaid of the ſaid Pariſh of *Wicklewood*, who ſhall be legally ſettled therein, in ſuch

Proportions and Quantities, in such Manner, at such Times in every Year, and according to such Rules and Orders, as the said Trustees for the Time being, or the major Part of them, shall appoint and prescribe for that Purpose, and not otherwise; and the Remainder of such Allotment which shall not be so appropriated for the taking Turf, Peat and Fuel as aforesaid, nor shall be so let and demised as aforesaid, shall be used and enjoyed solely and exclusively by such poor Inhabitants of the said Parish of *Wicklewood* who shall be legally settled therein, as a Common of Pasture for all Geese, Stock, and Cattle, which shall really and *bonâ fide* be the Property of such poor Inhabitants, in such Manner, and at such Time or Times, and according to such Rules and Regulations as the said Trustees for the Time being, or the major Part of them, shall appoint and prescribe for that Purpose, and not otherwise: Provided always, that in case the Rents and Profits of such Allotment or Allotments shall at any Time or Times be more than sufficient to answer the Purposes for which the same is or are hereby directed to be set out, then and in every such Case the said Trustees for the Time being, or the major Part of them, shall and they are hereby required to apply and dispose of the Overplus of such Rents and Profits for the Relief of the Poor for whose Benefit such Allotment or Allotments shall be so set out, in such Manner as the said respective Trustees or the major Part of them shall think proper: Provided also, that it shall be lawful for the Lords or Ladies of the said several Manors before-mentioned, and the Vicar of the said Vicarage for the Time being respectively, to act in the Execution of the Trusts hereby reposed in them as aforesaid, by their respective Agents or Proxies, such Agents or Proxies respectively being appointed by Writing under the Hands of the said Lords, Ladies and Vicar respectively, and producing their respective Appointments at the Time of their acting by virtue thereof, if required so to do; but no Person shall act as Agent or Proxy for more than one Trustee at the same Time.

Allotment for Public Gravel Pits, &c.

XX. And be it further enacted, That the said Commissioners shall in the next Place assign, set out and allot unto the Surveyors of the Highways within the said Parish of *Wicklewood*, such Parts of the Lands and Grounds hereby directed to be divided and allotted, as the said Commissioners shall think necessary and most convenient for the public Watering Places for Cattle, and for public Sand, Gravel, Stone, Clay, Chalk and Marl Pits; and the same Allotment or Allotments when so set out shall for ever thereafter be used by the Surveyors of the Highways, and by the Proprietors of Lands and Estates within the said Parish and their Tenants for the Time being, in such Manner and under such Rules and Regulations as the said Commissioners shall by their Award direct or appoint, and not otherwise.

Allotment for Right of Soil.

XXI. And be it further enacted, That the said Commissioners shall in the next Place assign, set out, and allot unto the Lords or Ladies of the several Manors herein-before mentioned, and to the Lords or Ladies of any other Manor or Manors, or to such of them as shall in the Judgment of the said Commissioners be entitled to the Soil of the said Commons and Waste Grounds in *Wicklewood* aforesaid, so much and such Part or Parts of the said Commons and Waste Grounds as shall in the Judgment of the said Commissioners be equal in Value to One-eighteenth Part thereof as a Compensation and full Satisfaction of and for the Right or Rights of such

Lord or Lords, Lady or Ladies respectively, of, in, and to the Soil of the same Commons and Wasts Grounds according to the sole Right of any such Lord or Lady, or in Proportion to the several Parts, Shares, Rights and Interests of the said Lords and Ladies respectively therein.

Land to be sold for Payment of Expences.

XXII. And be it further enacted, That the said Commissioners shall in the next Place mark and set out such Part and Parts of the said Commons and Waste Grounds as will in their Judgment by the Sale thereof, produce a Sum of Money sufficient to defray and discharge the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, and of surveying, admeasuring, planning, valuing, dividing, fencing and allotting the Lands and Grounds to be divided and allotted by virtue hereof, and all the Charges of the said Commissioners, their Assistants and Servants, and all other necessary Expences of the several Persons to be employed by the said Commissioners in and about the Premises, 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; and the said Commissioners shall and they are hereby required to sell the Lands and Grounds so marked and set out in such Allotment or Allotments, as to them shall seem right and proper, to any Person or Persons for the best Price or Prices that can be gotten for the same, by private Contract or by public Auction or Auctions to be holden for that Purpose, of which Auction Three 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 said Commissioners, or such Person or Persons as they shall direct and appoint, One-tenth Part of his, her or their Purchase Money, and shall pay the Remainder thereof within Three Calendar Months next after, 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, may be again put up to Sale by public Auction, and sold in Manner aforesaid, for the best Price or Prices that can be gotten for the same, or may 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; and upon the Receipt of the whole Purchase Money for any Allotment or Allotments which shall be so sold as aforesaid, the said Commissioners shall and they are hereby authorized and required to grant and convey by Indentures of Bargain and Sale under their Hands and Seals, all the Fee Simple and Inheritance of such Allotment or Allotments, to such Person or Persons, and for such Use and Uses as the respective Purchaser or Purchasers thereof shall appoint; and immediately after the Execution of such Indentures of Bargain and Sale aforesaid, all and every Allotment or Allotments therein described to be thereby granted and conveyed, shall be absolutely discharged of and from all other Rights thereon or therein, and be thenceforth held in Severalty by, and vested in Fee Simple in the Purchaser or Purchasers thereof respectively, as his, her, or their private or absolute Property, and shall be allotted accordingly by the said Commissioners in their Award to be made under the Authority of this Act and of the said recited Act; and such Purchase Money when so received by the

the ſaid Commiſſioners ſhall be by them applied in defraying ſuch Coſts, Charges and Expences as aforeſaid, and the Overplus of ſuch Money (if any) after defraying ſuch Coſts, Charges and Expences, and the Overplus of the Money (if any) ariſing from the Sale of ſuch Encroachments as aforeſaid, ſhall be equally diſtributed amongſt the ſeveral Perſons intereſted in the ſaid Lands and Grounds by this Act directed to be divided and allotted, in Proportion to their ſeveral and reſpective Rights and Intereſts therein, and ſhall be paid and diſpoſed of in Manner following, *videlicet*, where any ſuch Perſon or Perſons ſhall be ſeiſed of or entitled to the Fee Simple of his, her, or their ſeveral Allotments then he, ſhe, or they ſhall be entitled to and ſhall be forthwith paid his, her or their proportionate Share of the aforeſaid Overplus Monies; but in caſe any ſuch Perſon or Perſons ſhall not be ſeiſed of or entitled to the Fee Simple of his, her, or their reſpective Allotments, then his, her, or their proportionate Share or Shares of the aforeſaid Overplus Monies ſhall be applied and diſpoſed of by the ſaid Commiſſioners in Manner directed by the ſaid recited Act, whenever any Sum of Money is to be paid for the Purchaſe or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon, and which Sum of Money when paid ought to be laid out in the Purchaſe of other Lands, Tenements or Hereditaments, to be ſettled to the ſame Uſes: Provided always, that the Purchaſer or Purchaſers of ſuch Lot or Lots to be ſold as aforeſaid, ſhall be ſubject to the Performance of all Orders, Regulations and Directions which ſhall be made by the ſaid Commiſſioners, and inſerted in their Award, for incloſing, fencing, and draining ſuch Lands, and for maintaining and keeping the Drains and Fences thereto belonging in good Repair: Provided always, that the ſaid Commiſſioners ſhall and they are hereby required to make ſuch reaſonable Compenſation to the Lords of the ſeveral Manors herein-before mentioned either by Increaſe of any Allotment to be made to them reſpectively under the Authority of this Act, or by Deduction from their Proportions of Expence in the Execution of this Act, as the ſaid Commiſſioners ſhall judge expedient for or on account of Loſs in the Fruits of Tenure, on account of the Land ſo ſold being all ſold and conveyed as Freehold, great Part of which, if left to Diviſion and Allotment among the Owners or Proprietors thereof reſpectively, under the other Proviſions contained in this Act, would be of Copyhold Tenure, and liable to Fines, Suits, and Services accordingly.

Compenſation to Lords for Fruits of Tenure from the Land ſold

Allotments to Houſes.

XXIII. And be it further enacted, That the ſaid Commiſſioners ſhall aſſign, ſet out, and allot unto the Owners and Proprietors of the ſeveral Meſſuages and Cottages now ſtanding in the ſaid Pariſh of *Wicklewood*, which have been erected and uſed as a Meſſuage or Cottage for the Space of Forty Years (except Meſſuages or Cottages built upon the Commons and Waſte Grounds within Sixty Years now laſt paſt) and alſo unto the Owners and Proprietors of the ſeveral Meſſuages and Cottages now ſtanding in the ſaid Pariſh which have been erected within the Space of Forty Years upon the Scite or Scites or in lieu of ſome other Meſſuage or Meſſuages, Cottage or Cottages which had been before that Time ſtanding, ſuch Part and Parts of the Lands and Grounds hereby directed to be divided and allotted as the ſaid Commiſſioners ſhall judge to be equal in Value to the Average Value of One Acre of the ſaid Commons and Waſte Lands, over and above the Allotments which the Owners of ſuch

Meſſuages

Meſſuages and Cottages reſpectively may in reſpect thereof become entitled to have in the Diviſion and Allotment of the Reſidue of ſuch Lands and Grounds, under the Directions next herein-after contained.

Allotment of Reſidue according to Rights.

XXIV. And be it further enacted, That after the aforeſaid ſeveral Allotments ſhall have been made and ſet out according to the Directions herein-before contained, the ſaid Commiſſioners ſhall then divide, aſſign, ſet out and allot all the Reſidue and Remainder of the Lands and Grounds by this Act directed to be divided and allotted, unto and amongſt all and every Perſon and Perſons, Body and Bodies Politic, Corporate or Collegiate, having any Rights or Intereſts in, to, over, or upon the ſaid Lands and Grounds (except to the Owner or Owners of the Soil of the ſaid Commons and Waſte Grounds in reſpect thereof only) in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall adjudge and determine to be proportionate to the Value of and a full Compenſation and Satisfaction to him, her, or them reſpectively, for his, her, or their reſpective Rights and Intereſts in, to, over, or upon the ſame Lands and Grounds.

Rights of Common (in reſpect of Houſes and Lands) declared and limited.

XXV. And be it alſo enacted, That all Owners of Meſſuages or Cottages in *Wicklewood* aforeſaid, to whom any Land equal in Value to the Average Value of One Acre of the ſaid Commons and Waſte Grounds is herein-before directed to be allotted, and alſo all Owners of old incloſed Arable Lands, Meadows, and Paſture Grounds in the ſaid Pariſh of *Wicklewood*, which have not within Sixty Years laſt paſt been Part or Parcel of the ſaid Commons and Waſte Grounds, ſhall on their preferring their reſpective Claims in the Manner preſcribed by the ſaid recited Act in that Behalf, have and be allowed a Right or Rights of Common over or upon all the Commons and Waſte Grounds within the ſaid Pariſh of *Wicklewood*, in Proportion to the annual Value of ſuch Meſſuages, Cottages, and old incloſed Arable Lands, Meadows, and Paſture Grounds reſpectively.

Common Rights ſold, may be allotted to Purchaſers.

XXVI. And be it further enacted, That if any Owner or Owners of any Lands or Grounds in the ſaid Pariſh of *Wicklewood*, hath or have ſold or agreed to ſell, or ſhall at any Time before the Execution of the Award of the ſaid Commiſſioners, ſell or agree to ſell to any other Perſon or Perſons whoever, all or any Part of ſuch Owner's Right, Intereſt and Property in, over, or upon the ſaid Lands and Grounds hereby directed to be divided and allotted, or in or to any Allotment which ſhall be ſet out or be intended to be made by the ſaid Commiſſioners in full or in Part Satisfaction of any ſuch Right, Intereſt, and Property as aforeſaid, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required to make an Allotment of Land unto the Vendee or Purchaſer in every ſuch Sale and Agreement, or to his or her Heirs or Aſſigns, for or in reſpect of ſuch Right, Intereſt, and Property ſo ſold or contracted or agreed to be ſold as aforeſaid; and every ſuch Vendee or Purchaſer, or his or her Heirs or Aſſigns, ſhall and may from and after the Execution of the ſaid Award, hold and enjoy the Land ſo to be allotted to him, her, or them as aforeſaid in the ſame Manner to all Intents and Purpoſes as the Vendor in every ſuch Sale or Agreement might, could, or ought to have held or enjoyed the ſame in caſe any ſuch Sale or Agreement had not been made, or ſuch Rights, Intereſt, or Property had remained in ſuch Vendor at the Time of making ſuch Allotment as aforeſaid:

Lords Fines, &c. not to be prejudiced.

aforesaid: Provided further, that every such written Agreement or Contract, if relating to any Right, Interest or Property appurtenant to or claimed in respect of any Messuage, Cottage or Land, holden by Copy of Court Roll of any Manor, shall, to give it complete Effect as aforesaid, be first enrolled or entered in the Court Books, or on the Rolls of such Manor; and when so enrolled or entered, or delivered to the Steward for Enrolment or Entry, shall have the Effect of a Surrender to the Use of such Vendee or Purchaser, and his or her Heirs and Assigns, according to the Custom of the Manor; but nothing herein contained shall extend to prejudice, defeat or diminish the Right of the Lord of the Manor to such Fines and customary Payments as might be otherwise due or payable to him upon any Change of the Tenant.

Separate Allotments to be made for Lands held by different Tenures.

XXVII. And be it further enacted, That where the Proprietor or Proprietors of any Lands or other Hereditaments which shall be allotted or exchanged by virtue of this Act, shall hold their said 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 each of such Tenures for each of such Estates, and under each of such Titles respectively. and shall accordingly in their said Award set out and distinguish distinct and separate Allotments for such respective Lands or other Hereditaments; and where, from the want of the necessary Information before the said Commissioners, or from any other Cause, their Award shall omit to discriminate as herein-before is required, such different Titles, different Estates, and different Tenures, and Request shall be made to the said Commissioners, after the making of the said Award, by any Person or Persons interested by Writing under his, her, or their Hand or Hands, to have such Omission supplied by a separate Instrument, 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 and act as if the said Award had not been made; and when and as soon as the said Commissioners shall have obtained what they shall think sufficient Information, they are hereby authorized by any Deed under their Hands and Seals to ascertain and distinguish the Difference of Tenures, Estates, and Titles respectively, and accordingly to make distinct and separate Allotments in the same Manner as if such Discrimination had been contained in the said Award; and every such separate Instrument shall have the same Effect as if it was contained in the said Award; and the same supplemental Instrument shall be delivered to the Person or Persons upon whose Request the said Omission shall have been supplied, or to the Person or Persons to whom the Custody of the Deeds and Writings concerning the Title to the Premises in question shall in the Opinion of the said Commissioners most properly belong for the Time being; and all Expences which shall be reasonably incurred in or about any such supplemental Instrument as aforesaid, shall be payable by the Person or Persons who shall have so requested the said Commissioners to supply such Omission as aforesaid, his, her, or their Heirs, Executors, or Administrators.

XXVIII. And

Commissioners to direct the Course of Husbandry.

XXVIII. And be it further enacted, That from and after the passing of this Act until the Execution of the said Award, all the Arable Lands hereby directed to be divided and allotted shall be subject and liable to such Directions and Regulations as the said Commissioners shall from Time to Time, by any Writing under their Hands appoint, with regard to the stocking, plowing, tilling, sowing, and laying down the same; and it shall be lawful for the said Commissioners to order and direct such Sum or Sums of Money in respect thereof to be paid by any Person or Persons interested in the said Arable Lands or any Part thereof, or his, her, or their Tenant or Tenants, to any other Person or Persons in like Manner interested therein, or his, her, or their Tenant or Tenants, as the said Commissioners shall think reasonable, not exceeding Five Pounds *per* Acre: and in case any Person or Persons who shall be directed to pay any Sum or Sums of Money upon any of the Accounts aforesaid, shall neglect or 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, to raise and levy the same for the Use or Benefit of the Person or Persons entitled thereto, by such Ways and Means as the surplus Costs, Charges, and Expences of obtaining and executing this Act or any Part thereof can or may be raised and levied, in case the Land directed by this Act to be sold for the raising of Money to defray such Costs, Charges, and Expences, shall not upon the Sale thereof have raised Money sufficient for that Purpose.

For fencing Allotments.

XXIX. And be it further enacted, That the Lands and Grounds hereby directed to be divided and allotted shall be inclosed, hedged, ditched, and fenced by such Person or Persons, or Body or Bodies Politic, Corporate or Collegiate (save and except the Vicar of the said Vicarage for the Time being, in respect of any Allotment to be made to him in Right of the said Vicarage, and the Trustees for the Poor, and also the Surveyors of the Highways in *Wicklewood* aforesaid, for and in respect of the several Allotments hereby directed to be made to them respectively, as Vicar, Trustees, and Surveyors, as aforesaid) within such Time and in such Manner as the said Commissioners shall in their said Award order, direct, and appoint; and such Hedges, Ditches, Drains and Fences shall at all Times thereafter be maintained and kept in Repair and cleansed by such Person or Persons as the said Commissioners shall, in and by their said Award direct: Provided always, that convenient Gaps and Openings shall be left in the Fences and Inclosures to be made in pursuance of this Act, for the Space of Twelve Calendar Months next after the Execution of the said Award, for the Passage of Cattle, Carts and Carriages into and through the same, unless the several Parties interested shall agree that the same shall be sooner fenced in, made up, and inclosed.

For leaving Gaps.

For allowing Exchanges to be made.

XXX. And be it further enacted, That after the said Commissioners shall have marked and set out in several Allotments the Lands and Grounds by this Act directed to be divided and allotted, it shall and may be lawful to and for the said Commissioners to set out, allot, and award any Buildings, Lands, Tenements, or Hereditaments whatever, within the said Parish of *Wicklewood*, in lieu of and in Exchange for any other Buildings, Lands, Tenements, or Hereditaments within the said Parish of *Wicklewood*, or within any adjoining Parish, Hamlet or Township; 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 Buildings, Lands, Tenements, or Hereditaments which ſhall be ſo exchanged, whether ſuch Owner or Owners, Proprietor or Proprietors ſhall be a Body or Bodies Politic, Corporate or Collegiate, or a Tenant or Tenants in Fee Simple 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, Feoffees for charitable, or other Uſes, Huſbands, Committees, or Attornies of or acting for any ſuch Proprietors or Owners as aforeſaid, who at the Time of making ſuch Exchange or Exchanges ſhall be reſpectively Infants, Femes Covert, Lunatics, or under any other legal Diſability, or who ſhall be beyond the Seas, or otherwiſe diſabled to act for themſelves, himſelf, or herſelf, ſuch Conſent to be teſtified in Writing under the Common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other conſenting Parties reſpectively, and all and every ſuch Exchange and Exchanges ſo to be made ſhall be good, valid and effectual in the Law, to all Intents and Purpoſes whatever: Provided nevertheleſs, that no Exchange ſhall be made of any Lands, Tenements or Hereditaments held in right of any Chapel, Church, 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, or Hereditaments ſo to be exchanged ſhall lie and be ſituate: Provided always, that all Coſts, Charges and Expences, attending the making any Exchanges and Partitions, ſhall be paid and borne by the ſeveral Perſons making ſuch Exchanges or Partitions, in ſuch Manner and in ſuch Proportions as the ſaid Commiſſioners ſhall by their ſaid Award order and direct.

Leaſes void as to Allotments or Exchanges.

XXXI. And be it further enacted, That all and every Leaſe and Leaſes, Agreement or Agreements at Rack Rent, of any Meſſuages, Lands, Tenements or Hereditaments, ſituate within the ſaid Pariſh of *Wicklewood*, or of any Meſſuages, Lands, Tenements or Hereditaments held therewith, or which ſhall be exchanged by virtue hereof, ſhall at ſuch Time and in ſuch Caſes as the ſaid Commiſſioners ſhall direct, be and the ſame is and are hereby declared to be null and void, and the reſpective Leſſees or Tenants of the Premiſes comprized in ſuch Leaſes or Agreements reſpectively ſhall be entitled to and ſhall receive from the reſpective Owners and Proprietors, Leſſor or Leſſors of ſuch Premiſes, ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall by Writing under their Hands declare to be a reaſonable Compenſation and Satisfaction for the Loſs or Loſſes which ſuch Leſſees or Tenants reſpectively ſhall ſuſtain on account of the Determination of the ſame; and if any Perſon or Perſons, or Body or Bodies Politic, Corporate or Collegiate, ſhall refuſe or neglect to make ſuch Compenſation to the Perſon or Perſons entitled thereto, on Demand, then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized to raiſe and levy the ſame for the Uſe and Benefit of the Perſon or Perſons entitled thereto, by ſuch Ways and Means as the Surplus Coſts, Charges and Expences of obtaining and executing this Act, or any Part thereof, can or may be raiſed and levied, in caſe the Lands and Grounds by this Act directed to be ſold for the raiſing of Money to defray ſuch Coſts, Charges and Expences, ſhall not upon the Sale thereof have raiſed Money ſufficient for that Purpoſe: Provided always, that if there ſhall be any Leaſe at Rack Rent of any Lands or Tenements, Part of

of which ſhall lie and be ſituate in the ſaid Pariſh of *Wicklewood*, and Part in any adjoining Pariſh, all and every ſuch Leaſe and Leaſes at Rack Rent may be vacated in Manner aforeſaid; but where any Land ſhall have been 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.

Allotments to be of the ſame Tenure, &c. as original Eſtate, &c.

XXXII. And be it further enacted, That all Lands and Grounds which ſhall be allotted to any Perſon or Perſons whatſoever, Body or Bodies Politic, Corporate or Collegiate, by virtue of this Act and of the ſaid recited Act, for or in reſpect of any Houſes, Buildings, Lands, or Grounds in *Wicklewood* aforeſaid, which are Copyhold or Leaſehold, or for or in reſpect of any Right of Common, or any other Right or Intereſt appurtenant or appendant to or upon any ſuch Copyhold or Leaſehold Premiſes, ſhall from and for ever after the Execution of the Award by the ſaid recited Act directed to be made by the ſaid Commiſſioners, be deemed and taken to be Copyhold or Leaſehold reſpectively, according to the Tenure of the Lands for or in reſpect of which they were allotted, and ſhall be held accordingly by and under the ſame Tenure, Rents, Payments, Fines, Cuſtoms and Services, Rates, Taxes and Outgoings, as the Copyhold and Leaſehold Houſes, Buildings, Lands, or Grounds reſpectively, for or in reſpect whereof ſuch Allotments ſhall be made, are now holden; and the Perſon or Perſons to whom any ſuch Copyhold Lands or Grounds ſhall be allotted as aforeſaid, ſhall, within Six Calendar Months next after the Execution of the ſaid Award, be admitted Tenant or Tenants to the ſame without paying any Fine or other Charge to the Lord or Lady or to the Steward of the ſaid Manor or Manors reſpectively (ſave and except for the Stamp Duties and Parchment requiſite to be uſed for the Copies of ſuch Admiſſions reſpectively, and ſuch reaſonable Fees to the reſpective Stewards of the ſaid Manors, as the ſaid Commiſſioners ſhall think proper to order and direct); but in caſe any Perſon or Perſons to whom ſuch Lands and Grounds ſhall be allotted as aforeſaid ſhall die, or alienate by Sale without Admiſſion within the ſaid Six Calendar Months; then the cuſtomary Fines, Fees, and other Payments ſhall be due and payable on the Admiſſion of the Perſon or Perſons then entitled to ſuch Lands and Grounds; and after every ſuch firſt Admiſſion ſuch Lands and Grounds ſhall at all Times be held under and ſubject to the ſame Tenures, Fines, and other Payments reſpectively, as the preſent Copyhold Houſes, Buildings, Lands and Grounds, in reſpect whereof ſuch new Allotments ſhall be made are now reſpectively holden and are ſubject to; and the ſaid Commiſſioners ſhall and they are hereby required to determine, deſcribe, and abut, in and by their ſaid Award, and in and by the Map or Plan to be thereto annexed, all the Lands and Grounds in the ſaid Pariſh of *Wicklewood* which are to be and remain Copyhold or Leaſehold; and all other Lands and Grounds in the ſaid Pariſh of *Wicklewood* which ſhall be ſo allotted by virtue of this Act and of the ſaid recited Act (except ſuch as ſhall be ſo aſcertained by the ſaid Commiſſioners in their ſaid Award to be Copyhold or Leaſehold as aforeſaid) ſhall from thenceforth be deemed, taken and enjoyed as Freehold Lands and Grounds reſpectively, ſubject nevertheleſs to ſuch Free Rents and Services, and other Payments, Rates, Taxes and Outgoings, as are now payable out of the ſaid reſpective Lands and Grounds, for or in reſpect whereof the ſame ſhall be ſo allotted.

Power of enfranchising Copyholds.

XXXIII. And whereas the Lords or Ladies of the ſaid ſeveral Manors before mentioned, or of ſome other Manor extending into the ſaid Pariſh of *Wicklewood* reſpectively, may be willing to enfranchiſe the ſeveral Meſſuages, Lands, Tenements and Hereditaments, within the ſaid Pariſh of *Wicklewood*, which now are or by virtue of this Act and the ſaid Award ſhall be directed to be holden of ſuch Manors reſpectively by Copy of Court Roll or Cuſtomary Tenure, and alſo to releaſe and diſcharge the ſame from all Fines, Heriots, Chief Rents, Reliefs, Cuſtoms and Services due and payable to ſuch Lords or Ladies, out of or from ſuch Copyhold or Cuſtomary Meſſuages, Lands, Tenements or Hereditaments, on being allowed an adequate Compenſation and Satisfaction for the ſame; and the ſeveral Owners and Proprietors of ſuch Copyhold or Cuſtomary Hereditaments may be deſirous that the ſame ſhould be ſo enfranchiſed; be it therefore further enacted, That it ſhall be lawful for the ſaid Commiſſioners, with the Conſent of the Lord or Lords, Lady or Ladies of the ſaid Manors for the Time being reſpectively, and with the Conſent of the Owner or Owners of any ſuch Copyhold Meſſuages, Lands, Tenements or Hereditaments as aforeſaid, reſpectively expreſſed in Writing under his, her, or their Hand or Hands, and delivered to the ſaid Commiſſioners at any Time or Times before their Third Meeting under this Act, or at ſuch other Time or Times as ſhall be appointed by the ſaid Commiſſioners, to aſſign, ſet out, and allot unto the Lord or Lords, Lady or Ladies of the ſaid Manors reſpectively, ſuch Proportions, Shares, or Parts of the Allotments of the Lands and Grounds herein directed to be divided and allotted, which the ſaid Copyholders reſpectively ſhall be entitled unto, as in the Judgment of the ſaid Commiſſioners ſhall be a full and equivalent Satisfaction and Compenſation to ſuch Lord or Lords, Lady or Ladies reſpectively, for all Rights, Claims, Fines, Heriots, Chief Rents, Reliefs, Cuſtoms and Services due and payable or to become due and payable to ſuch Lord or Lords, Lady or Ladies of the ſaid reſpective Manors, in reſpect of any ſuch Copyhold or Cuſtomary Meſſuages, Lands, Tenements and Hereditaments reſpectively; and every ſuch Enfranchiſement of ſuch Copyhold or Cuſtomary Meſſuages, Lands, Tenements and Hereditaments, and every ſuch Releaſement and Diſcharge of and from all ſuch Rights, Claims, Fines, Heriots, Chief Rents, Reliefs, Cuſtoms, and Services, ſhall be mentioned and deſcribed in the Award to be made by the ſaid Commiſſioners.

Power to make Satisfaction in Money for Enfranchiſement, &c.

XXXIV. Provided always, and be it further enacted, That if the Lord or Lords, Lady or Ladies of the aforeſaid Manors reſpectively, and the Owner or Owners, Proprietor or Proprietors of any ſuch Meſſuages, Lands, Tenements, and Hereditaments, now holden or which ſhall be directed to be holden of the ſaid reſpective Manors by Copy of Court Roll as aforeſaid, ſhall be mutually deſirous of making and receiving a Satisfaction and Compenſation in Money for the Enfranchiſement of ſuch Meſſuages, Lands, Tenements, and Hereditaments, and for releaſing and diſcharging the ſame from all Claims, Fines, Heriots, Chief Rents, Reliefs, Cuſtoms and Services as aforeſaid, and ſhall have cauſed Notice thereof in Writing under their reſpective Hands, to be given to the ſaid Commiſſioners before their ſaid Third Meeting, or at ſuch other Time which may be appointed by the ſaid Commiſſioners for that Purpoſe, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and directed, to aſcertain, fix, and determine what Sum or Sums of Money ſhall be paid by every ſuch Copyholder ſo giving

Notice as aforesaid, as and for a full Equivalent, Satisfaction, and Compensation for the Enfranchisement of such Copyhold or Customary Premises, and for releasing and discharging the same from all such Claims, Fines, Heriots, Chief Rents, Reliefs, Customs and Services as aforesaid; and such Sum or Sums of Money shall be received and taken in the stead and in lieu of any Allotment belonging to any such Copyholder or Copyholders within the said respective Manors; and such Sum or Sums of Money shall be paid to the said Commissioners at such Place or Places, Time or Times as the said Commissioners shall appoint; and in case of Non-payment thereof in Manner aforesaid, such Sum or Sums of Money may and shall be levied and recovered by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing of this Act, can or may be levied and recovered in case the Lands and Grounds herein directed to be sold for the raising of Money to defray such Costs, Charges and Expences shall not upon the Sale thereof have raised Money sufficient for such Purposes; and the Receipt and Receipts of the said Commissioners shall be a full and sufficient Discharge for all and every Sum and Sums of Money so to be paid to the said Commissioners as aforesaid; and such Sum and Sums of Money so received by the said Commissioners shall be by them paid to the Lord or Lords, Lady or Ladies, his, her, or their Heirs or Assigns, of such respective Manors, in case such Lord or Lords, Lady or Ladies shall be seised thereof in Fee Simple; and in case any such Lord or Lords, Lady or Ladies shall not be seised in Fee Simple thereof, then and in such Case such Sum and Sums of Money shall, instead of being paid to such Lord or Lords, Lady or Ladies, be applied and disposed of by the said Commissioners, in Manner directed by the said recited Act, whenever any Sum of Money is to be paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon, and which Sum of Money ought to be laid out in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the same Uses.

Copyhold, after Award executed and Compensation paid, to be held and descend as Freehold.

XXXV. And be it further enacted, That all and every such Copyhold or Customary Messuages, Lands, Tenements, and Hereditaments so enfranchised as aforesaid, shall at all Times from and after the making and executing of the said Award by the said Commissioners, for ever thereafter be held and enjoyed by the several and respective Person and Persons entitled to the same, enfranchised and as Freehold Estates of Inheritance, freed and discharged of all Fines, Heriots, Chief Rents, Reliefs, Customs, and Services whatever; and the same shall, from and after such Enfranchisement, be granted, bargained, sold, released, conveyed, or assured by Deed or devised by Will, in the same Manner as other Freehold Estates are conveyed and devised; and on the Death of any Person who shall be the Owner of any such Estates without a Will, the same shall descend to his or her Heirs in such Manner as other Freehold Estates of Inheritance descend.

Lands given for Enfranchisement to be held for same Uses as the Manors whereof, &c.

XXXVI. And be it further enacted, That the Lands to be assigned, allotted, and appointed for the Enfranchisement of the said Copyhold or Customary Messuages, Lands, Tenements, or Hereditaments, and for releasing and discharging the same from all such Claims, Fines, Heriots, Chief Rents, Reliefs, Customs, and Services as aforesaid, shall stand limited and settled to, for, and upon such and the same Uses, Trusts,

Truſts, Intents, and Purpoſes, as the reſpective Manor ſhall ſtand limited, and be ſubject and liable to at the Time of making ſuch Allotments reſpectively.

Sheep not to be kept in new Incloſures for Seven Years.

XXXVII. Provided always, and be it further enacted, That no Sheep or Lambs ſhall be kept in any of the Incloſures to be made in purſuance of this Act, during the Space of Seven Years from the Execution of the ſaid Award, unleſs the Perſons reſpectively keeping Sheep or Lambs therein, ſhall at their own Expence effectually guard and fence their Neighbours' Quickſets adjoining to ſuch Incloſures reſpectively, ſo as to prevent any Damage or Injury being done to ſuch Fences or Quickſets by any ſuch Sheep or Lambs; and if any Perſon ſhall during ſuch Space of Seven Years, keep any Sheep or Lambs in any of the ſaid Incloſures to be made in purſuance of this Act, without effectually guarding and fencing his, her, or their Neighbours Quickſets adjoining to ſuch Incloſures in which ſuch Sheep or Lambs are kept, or ſhall wilfully turn or put, or cauſe to be turned or put any Lambs, Sheep, or other Beaſt or Cattle in any of the Lanes, Ways, or Roads, on either Side whereof any new growing Fence ſhall be planted, then and in every ſuch Caſe every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, to be levied and recovered in like Manner as any Penalty or Forfeiture may be recovered by virtue of the ſaid recited Act; and ſuch Penalty or Forfeiture when levied and recovered, ſhall be paid to the Perſon or Perſons injured by ſuch Sheep or Lambs.

Allotments to Vicar and Truſtees for Poor, &c. to be Ring-fenced by the Commiſſioners.

XXXVIII. And be it further enacted, That the Lands and Grounds which ſhall be ſet out and allotted unto and for the Vicar of *Wicklewood* for the Time being in reſpect of his Glebes, and to the ſeveral Perſons herein-before mentioned as Truſtees for the Poor, and to the Surveyors of the Highways as aforeſaid, ſhall be incloſed and fenced on the outward Boundaries thereof reſpectively as the ſaid Commiſſioners ſhall direct, at the Expence of all the other Proprietors entitled to Allotments by virtue of this Act; and the ſaid Fences ſhall thereafter be maintained and ſupported by ſuch Perſons and in ſuch Manner as the ſaid Commiſſioners ſhall in and by their ſaid Award order and direct.

Wills and Settlements not to be affected.

XXXIX. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to revoke, make void, alter, or annul any Will, whether ambulatory or in actual Operation by the Death of the Party, or any Settlement, or to prejudice any Perſon or Perſons having any Right or Claim of Dower, Jointure, Portion, Debt, Rent, or Incumbrance, out of, upon, or affecting any of the Meſſuages, Buildings, Lands and Grounds to be divided and allotted or exchanged by virtue of this Act or the ſaid recited Act, or any Part or Parts thereof reſpectively; but that every Proprietor ſhall ſtand and be ſeiſed of the ſeveral Meſſuages, Buildings, Lands and Grounds to be allotted or given in Exchange to him or her by virtue of this Act and the ſaid recited Act, to ſuch and the ſame Uſes, and for ſuch and the ſame Eſtates, and ſubject to ſuch and the ſame Wills, Jointures, Rents, Charges and Incumbrances, and no other, as the Meſſuages, Buildings, Lands and Grounds, whereof ſuch Proprietor was ſeiſed or poſſeſſed at or immediately before the Execution of the Award to be made by the ſaid Commiſſioners, or for which ſuch Allotments or Exchanges

ſhall

ſhall be made, would have been ſubject to, charged with, or affected by, in caſe this Act had not been made.

Surplus Expences of the Act.

XL. And be it further enacted, That all the Coſts, Charges, and Expences (in caſe the Money raiſed by the Sale of the Land herein directed to be ſold ſhall be inſufficient to defray the ſame) of incloſing the Lands and Grounds which ſhall by virtue of this Act be allotted to the ſaid Vicar in reſpect of the ſaid Vicarage, to the ſaid Truſtees for the Poor of the ſaid Pariſh of *Wicklewood*, and to the Surveyors of the Highways within the ſaid Pariſh, and the Coſts, Charges, and Expences incident to and attending the obtaining this Act, and of ſurveying, meaſuring, planning, valuing, dividing, and allotting the Lands, Grounds, and Premiſes to be divided and allotted by virtue of this Act, and of preparing, copying, and depoſiting the Avard of the ſaid Commiſſioners, and all the Charges and Expences of the ſaid Commiſſioners, their Clerks, Aſſiſtants, and Servants, and all other neceſſary Expences of the ſeveral Perſons to be employed by the ſaid Commiſſioners in and about the Premiſes, either before or after the Execution of the ſaid Award, and all the Expences of forming, completing, and repairing the Public Carriage Roads and Highways to be ſet out and appointed by the ſaid Commiſſioners, and all other Expences of carrying this Act and the ſaid recited Act into Execution, ſhall be borne and defrayed by the ſeveral Perſons to whom any Allotment or Allotments ſhall be made by virtue of this Act (ſave and except the Vicar of the ſaid Vicarage for the Time being in reſpect of any Allotment which ſhall be made to him in reſpect of the ſaid Vicarage, and alſo ſave and except the ſaid Truſtees for the Poor and Surveyors of the Highways within the ſaid Pariſh for the Time being for and in reſpect of the Allotments hereby directed to be made to the Vicar, Truſtees, and Surveyors, as aforeſaid) which ſaid Coſts, Charges, and Expences, together with the Proportions thereof to be paid by the ſeveral Perſons hereby made liable to the Payment thereof, ſhall be ſettled and adjuſted by the ſaid Commiſſioners, and ſhall be paid at ſuch Time and Place and to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall appoint, either before or after the Execution of their ſaid Award.

Tenants for Life, &c. may charge Eſtate with the Expences.

XLI. And whereas ſome of the Owners and Proprietors of Lands and Grounds within the ſaid Pariſh of *Wicklewood*, may have Occaſion to borrow Money to defray their reſpective Shares of the Coſts, Charges, and Expences of obtaining and carrying this Act into Execution, in caſe the Money to be received by the Sale of the Land as aforeſaid ſhall not be ſufficient for ſuch Purpoſe; be it therefore further enacted, That it ſhall and may be lawful to and for the Huſbands, Guardians, Truſtees, Committees or Attornies of any of the Owners or Proprietors of any of the Lands and Grounds to be divided and allotted by virtue of the ſaid recited Act and this Act, being under Coverture, Minors, Lunatics, beyond the Seas, or under any other Diſability, and for any of the ſaid Owners or Proprietors being Tenants in Tail or for Life or Lives, or Years determinable on any Life or Lives, or on any other Contingency, or Tenants by the Courteſy of *England*, or otherwiſe intereſted in ſuch Lands and Grounds, to charge ſuch Lands and Grounds with ſuch Sum or Sums of Money as the ſaid Commiſſioners ſhall by their ſaid Award, or by Writing under their Hands either before or after the Execution of ſuch Award, adjudge neceſſary to pay and defray the Coſts, Charges, and Expences incident

to and attending the obtaining of this Act, and of ditching, draining and fencing their respective Allotments, and other the Costs, Charges, and Expences of carrying the same into Execution, and of charging such Lands and Grounds as aforesaid; so that the Sum or Sums of Money so to be charged shall not exceed the Sum of Five Pounds for every Acre of such Lands and Grounds, and to grant, mortgage, lease or demise, or otherwise subject the Lands, Tenements and Hereditaments so to be charged, to such Person or Persons who shall advance and lend the same respectively, his, her, or their Executors, Administrators and Assigns, for any Term or Number of Years, or in case any Person in Possession who shall or may be liable to and charged with a Share of the Expences as aforesaid, or enabled by this Act to charge such Lands and Grounds with the same, shall choose to advance, pay, and discharge such Sum or Sums of Money, then and in every such Case it shall be lawful for the said Commissioners, by any Deed or Writing under their Hands and Seals to be attested by Two or more credible Witnesses, in like Manner to grant, mortgage, lease or demise, or otherwise subject such Lands and Grounds, to such Person or Persons respectively, paying and discharging such Sum or Sums of Money, his, her or their Executors, Administrators and Assigns, for any Term or Number of Years, to and for the Payment of such Sum and Sums of Money so advanced, paid, and discharged by him, her, or them, with lawful Interest for the same, to commence on the Termination of his, her, or their Right in the Premises; so that every such Grant, Mortgage, Lease or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered or reassigned, when such Sum or Sums of Money thereby to be secured shall be fully paid and satisfied; and also with a Covenant to pay and keep down the Interest, so that no Person or Persons afterwards becoming possessed of or entitled to any such Lands and Grounds, shall be liable to pay any further or larger Arrear of Interest than for Twelve Calendar Months preceding the Time when the Title to such Possession should have commenced; and that every such Charge, Grant, Mortgage, Lease or Demise, shall be good, valid, and effectual in the Law, for the Purposes thereby intended.

How to charge Expences upon Copyhold.

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

Money advanced to be repaid with Interest, &c.

XLIII. And be it further enacted, That if any Person or Persons whomsoever shall advance and pay any Money in discharge of the Fees or other Expences of preparing, obtaining, and executing this Act, the Money

ſo paid and advanced ſhall be repaid and ſatisfied to him, her, or them, by the Direction of the ſaid Commiſſioners, together with lawful Intereſt for the ſame: Provided always, that the ſaid ſeveral 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.

Enrolment and Depoſit of Award.

XLIV. And be it further enacted, That the Award by the ſaid recited Act directed to be made by the ſaid Commiſſioners, and ſuch Map or Plan of the ſaid Pariſh of *Wicklewood* as ſhall be annexed thereto, ſhall be deemed and taken to be well, ſufficiently, and effectually enrolled, according to the Directions of the ſaid recited Act, if a true Copy thereof ingroſſed and made upon Parchment, and ſigned and atteſted to be a true Copy thereof by the ſaid Commiſſioners, and with ſuch Map or Plan annexed thereto, ſhall within the Time mentioned in the ſaid recited Act for enrolling ſuch Award, be depoſited with the Clerk of the Peace for the ſaid County of *Norfolk*, who ſhall be paid on the Delivery to him of the ſaid Copy ſo ingroſſed, ſigned and atteſted as aforeſaid, the Sum of Three Guineas and no more; and the ſaid Clerk ſhall and he is hereby required to depoſit and keep the ſame with the Records of the ſaid County; and the ſaid original Award ſhall be depoſited and kept in the Pariſh Church of *Wicklewood* aforeſaid, or in ſuch other Place or Places as the ſaid Commiſſioners ſhall appoint for that Purpoſe.

Commiſſioners to lay Accounts before a Juſtice once a Year.

XLV. And be it further enacted, That once at leaſt in every Year during the Execution of this Act (ſuch Year to be computed from the Day of the paſſing thereof) the ſaid Commiſſioners ſhall and they are hereby required to make a true and juſt Statement or Account of all Sums of Money by them received and expended, or due to them for their own Trouble and Expences in the Execution of this Act; and ſuch Statement or Account, when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before any one of his Majeſty's Juſtices of the Peace for the ſaid County of *Norfolk*, not intereſted in the ſaid Diviſion and Allotment, to be by him examined and balanced; and ſuch Balance ſhall be by ſuch Juſtice ſtated in the Book of Accounts to be kept in the Office of the Clerk to the ſaid Commiſſioners; and no Charge or Item in ſuch Accounts ſhall be binding on the Parties concerned or valid in Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtice.

Appeal to General Quarter Seſſions.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act or the ſaid recited Act (other than and except ſuch Orders and Determinations of the ſaid Commiſſioners as are by the ſaid recited Act or this Act directed to be final or concluſive, and except in ſuch Caſes wherein an Iſſue at Law ſhall be tried as herein-before mentioned) then and in every ſuch Caſe he, ſhe or they may appeal to the Juſtices at the General Quarter Seſſions of the Peace which ſhall be holden for the ſaid County of *Norfolk* 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, Fourteen Days Notice in Writing of ſuch Appeal, and of the Matter thereof; and the Juſtices in ſuch Seſſions (not intereſted in the Premiſes) are hereby required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and award

award such Costs and Damages as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs and Damages which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable or required to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress and Sale; and the Determination of the said Justices shall be final and conclusive 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 frivolous, vexatious, or without Foundation, then 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 such Costs shall be levied in Manner last aforesaid.

General Saving.

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

Publick Act.

XLVIII. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and a Copy thereof so printed 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. 1808.