ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 185.

An Act for incloſing Lands in the Pariſhes of *Wrington*, *Yatton*, and *Kenn*, in the County of *Somerſet*.

[9th *June* 1810.]

WHEREAS there are within the Pariſh of *Wrington* in the County of *Somerſet*, certain Commons or Waſte Lands, commonly called or known by the Names of *Wrington Hill*, and *Broadfield Down*, and there are within the Pariſhes of *Yatton* and *Kenn*, in the ſaid County of *Somerſet*, certain Moors, Commons, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*, all containing together, by Eſtimation, Three thouſand ſix hundred and fifty Acres, or thereabouts: And whereas the Right Honourable *William Harry* Earl of *Darlington* is Lord of the Manor of *Wrington* aforeſaid, and as ſuch is entitled to the Soil of the Commons or Waſte Lands called *Wrington Hill*, and *Broadfield Down*: And whereas the Right Honourable *John* Earl *Poulett* is Lord of the Manors of *Yatton* and *Kenn* aforeſaid, and as ſuch is entitled to the Soil of the ſaid Moors, Commons, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*: And whereas the ſaid *William Harry* Earl of *Darlington*, and *John* Earl *Poulett*, and ſeveral other Perſons in Right of Tenements commonly called *Old Auſter*, or ancient Tenements, within the ſaid Pariſhes of *Wrington*, *Yatton*, and *Kenn*, are, or claim to be entitled to, and exerciſe Rights of Common upon the ſaid Commons, Moors, or Waſte Lands, called *Wrington Hill*, *Broadfield Down*, *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*: And whereas the Lands belonging to certain Perſons in reſpect of the old Auſter, or ancient Tenements, ſituate within the ſaid Pariſh of *Wrington*, for which they are entitled to Right of Common on ſuch Commons or Waſte Lands as aforeſaid, do pay, and are charged or chargeable with, ſome

Modus, Preſcription, or Payment in Money in lieu of all Tythe, or of ſome certain Species of Tythe: And whereas it hath been mutually agreed by and between the ſaid *William Harry* Earl of *Darlington*, and *John* Earl *Poulett*, and the ſeveral Proprietors of the ſaid old Auſter or ancient Tenements within the ſaid ſeveral Pariſhes of *Wrington*, *Yatton*, and *Kenn*, that all Right of Intercommonage on the Lands intended to be incloſed by this Act, and the Act herein-after recited, ſhall ceaſe and be for ever extinguiſhed; and that the Whole of the ſaid Commons or Waſte Lands called *Wrington Hill* and *Broadfield Down* ſhall, on the Diviſion and Incloſure thereof, be allotted and awarded unto, and be held excluſively by the ſaid *William Harry* Earl of *Darlington*, and the ſeveral Proprietors of the ſaid old Auſter or ancient Tenements within the ſaid Pariſh of *Wrington*; and that the ſaid *William Harry* Earl of *Darlington*, and the ſeveral Proprietors of the ſaid old Auſter, or ancient Tenements within the ſaid Pariſh of *Wrington* ſhall have no Share or Allotment in the ſaid Moors, Commons, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*, and that the Whole of the Moors, Commons, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*, ſhall, on the Diviſion and Incloſure thereof, be allotted and awarded unto, and be held excluſively by the ſaid *John* Earl *Poulett*, and the ſeveral Proprietors of the ſaid old Auſter, or ancient Tenements within the ſaid Pariſhes of *Yatton* and *Kenn*, and that the ſaid *John* Earl *Poulett*, and the ſeveral Proprietors of the ſaid old Auſter, or ancient Tenements within the ſaid Pariſhes of *Yatton* and *Kenn*, ſhall have no Share or Allotment in the ſaid Commons or Waſte Lands called *Wrington Hill* and *Broadfield Down*: 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 ſaid Commons, Moors, or Waſte Lands are in their preſent State incapable of any conſiderable Improvements, and it would be very advantageous to the ſeveral Perſons intereſted therein if the ſame were divided, and ſpecifick Parts thereof aſſigned, allotted, and awarded to each of the Proprietors thereof, and Perſons intereſted therein, according and in Proportion to their ſeveral Rights and Intereſts, but ſuch Diviſion and Allotment cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *William White* of *Sand*, within the Pariſh of *Wedmore*, in the County of *Somerſet* aforeſaid, Gentleman, ſhall be, and he is hereby appointed the Commiſſioner for ſetting out, dividing, allotting, and incloſing the ſeveral Commons or Waſte Lands within the ſaid Pariſh of *Wrington*, and for executing all and every the Powers veſted in him by this Act, ſubject to the Rules, Orders, Regulations, and Directions herein-after mentioned and preſcribed, and alſo ſubject to the Rules, Orders, Regulations, and Directions contained in the ſaid recited Act, except in ſuch Caſes where the ſame are hereby varied or altered, and that *Joſeph Wollen* of *Wedmore*, in the County aforeſaid, Gentleman, ſhall be, and he is hereby appointed the Commiſſioner for ſetting out, dividing, allotting, and incloſing the ſeveral Moors, Commons, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*, within the ſaid Pariſhes of *Yatton* and *Kenn*, and for otherwiſe

Commiſſioners.

putting this Act in Execution, and for executing all and every the Powers veſted in him by this Act, ſubject to the Rules, Orders, Regulations, and Directions herein-after mentioned and preſcribed, and alſo ſubject to the Rules, Orders, Regulations, and Directions contained in the ſaid recited Act, except in ſuch Caſes where the ſame are hereby varied or altered.

Power to elect new Commiſſioners.

II. And be it further enacted, That when and ſo often as either of the ſaid Commiſſioners or any other Commiſſioner to be elected in Manner herein-after mentioned ſhall, before the Execution of the Powers and Authorities hereby in him veſted, die, or refuſe, or become incapacitated to act, then and in every ſuch Caſe a new Commiſſioner or Commiſſioners ſhall be elected in Manner following; (that is to ſay), if the ſaid *William White*, or any Commiſſioner to be appointed in his Stead, for ſetting out, dividing, allotting, and incloſing the ſeveral Commons or Waſte Lands in the ſaid Pariſh of *Wrington* ſhall die, or refuſe, or become incapacitated to act, then and in every ſuch Caſe the Majority of the Proprietors of the ſaid old Auſter in Number, or ancient Tenements within the ſaid Pariſh of *Wrington*, or their Agents preſent at ſome Publick Meeting to be holden at the *Golden Lion Inn* in *Wrington* aforeſaid (of which Meeting and the Intent thereof Notice ſhall be given by the Clerk to the ſaid Commiſſioners by inſerting ſuch Notice in One of the *Briſtol* Newſpapers at leaſt Twenty-one Days previous to ſuch Meeting) ſhall, with the Approbation of the Lord of the ſaid Manor of *Wrington*, and they are hereby empowered from Time to Time, by Writing under their Hands, to elect and appoint ſome other Perſon (not intereſted in the ſaid intended Diviſion and Incloſure) to be a Commiſſioner in the Room and Stead of the Commiſſioner ſo dying or refuſing to act, or becoming incapable of acting as aforeſaid; and if the ſaid *Joſeph Wollen*, or any Commiſſioner to be appointed in his Stead for ſetting out, dividing, allotting, and incloſing the ſaid ſeveral Moors, Commons, or Waſte Lands, in the ſaid Pariſhes of *Yatton* and *Kenn*, ſhall die, refuſe, or become incapacitated to act, then and in every ſuch Caſe the Majority of the Proprietors of the ſaid old Auſter in Number, or ancient Tenements within the ſaid Pariſhes of *Yatton* and *Kenn*, or their Agents preſent at ſome Publick Meeting to be holden at the *Prince of Orange Inn* in *Yatton* aforeſaid, (of which Meeting and the Intent thereof Notice ſhall be given by the Clerk to the ſaid Commiſſioner, by inſerting ſuch Notice in One of the *Briſtol* Newſpapers at leaſt Twenty-one Days previous to ſuch Meeting) ſhall, with the Approbation of the Lords of the ſaid Manors of *Yatton* and *Kenn* for the Time being, and they are hereby empowered from Time to Time, by Writing under their Hands, to elect and appoint ſome other Perſon, (not intereſted in the ſaid intended Diviſion and Incloſure), to be a Commiſſioner in the Room and Stead of the Commiſſioner ſo dying or refuſing to act, or becoming incapable of acting as aforeſaid, and every ſuch Commiſſioner ſo to be reſpectively appointed from Time to Time ſhall have the ſame Powers and Authorities for executing this Act, and the ſaid recited Act, as if ſuch Commiſſioner had been named and appointed a Commiſſioner in and by this Act.

Allowance to Commiſſioners.

III. And be it further enacted, That each of the ſaid Commiſſioners and every Commiſſioner to be appointed under or by virtue of this Act ſhall be allowed the Sum of Three Guineas for his Trouble, Charges, and Expences, including all travelling Charges and Expences for each and every

every Day he ſhall neceſſarily attend in the Execution of the Powers of this Act, or the ſaid recited Act; and every ſuch Commiſſioner ſhall have Power, and he is hereby authorized to appoint a Clerk to aſſiſt him in the Execution of the Powers of this and the ſaid recited Act, and ſuch Clerk from Time to Time to remove, and another to appoint as to them reſpectively ſhall ſeem meet; and the ſaid Clerk ſhall in like Manner be allowed the Sum of Three Guineas for his Trouble, Charges, and Expences, including all travelling Charges and Expences for each and every Day he ſhall neceſſarily attend either of the ſaid Commiſſioners in the Execution of this Act and the ſaid recited Act.

Appointment of Surveyor.

IV. And be it further enacted, That a true and accurate Survey and Admeaſurement ſhall be taken, and a Plan or Plans ſhall be made of the Lands and Grounds in the Pariſh of *Wrington* by this Act directed to be divided and incloſed before the Twenty-ninth Day of *September* next after the paſſing of this Act, or as ſoon after as conveniently may be, and of any other Lands and Grounds to be divided and incloſed by virtue of this Act, which either of the Commiſſioners for executing this Act ſhall direct to be ſurveyed within the Pariſh or Pariſhes for which he is hereby appointed Commiſſioner, by *James Cockburn* of *Havyat Lodge* in the ſaid County of *Somerſet*, Land Surveyor, or in caſe of his Death, Refuſal, or Neglect to take the ſaid Survey and make the ſaid Plans, then by ſuch other Perſon or Perſons as by the ſaid reſpective Commiſſioners or their Succeſſors ſhall be appointed for that Purpoſe: And in ſuch Caſe it ſhall and may be lawful for the ſaid reſpective Commiſſioners from Time to Time to diſplace and remove any ſuch Perſon or Perſons ſo to be appointed, and to appoint any other Perſon or Perſons in the Place and Stead of any ſuch Surveyor or Surveyors, and to make ſuch Recompence for his or their reſpective Labour, Skill, and incidental Expences as to the ſaid reſpective Commiſſioners ſhall appear juſt and reaſonable.

Surveys of old incloſed Lands or Waſte in Yatton and Kenn not to be made unleſs ſpecially directed by the Commiſſioners.

V. Provided always, and be it further enacted, That nothing in the ſaid recited Act, or this Act contained, ſhall extend to require either of the ſaid Commiſſioners or the ſaid Surveyor to make or cauſe to be made any Survey, Admeaſurement, or Plan of any of the ancient incloſed Lands or Grounds within either of the ſaid Pariſhes of *Wrington*, *Yatton*, or *Kenn*, or of any of the Moors, Commons, or Waſte Lands within either of the Pariſhes of *Yatton* and *Kenn*, unleſs the Commiſſioner acting for the Pariſh or Pariſhes within which any ſuch ancient incloſed Lands, Moors, Commons, or Waſte Lands are ſituated, ſhall deem ſuch Survey, Admeaſurement, or Plan neceſſary or expedient for the Purpoſes of the ſaid recited Act or this Act.

Notice of Meetings.

VI. And be it further enacted, That each of the ſaid Commiſſioners ſhall, and he is hereby required to give Publick Notice in each of the Churches of the reſpective Pariſh and Pariſhes in which the Lands to be divided and allotted by ſuch Commiſſioner are ſituated, upon ſome *Sunday* immediately after Divine Service, and alſo in One or more of the *Briſtol* Newſpapers, of the Time and Place of his Firſt, Second, and Third Attendance and Meeting for executing the Powers hereby veſted in him, Fourteen Days at leaſt before ſuch Attendance or Meeting; and ſhall alſo give Seven Days Notice in each of the Churches of ſuch Pariſh and Pariſhes reſpectively, upon ſome *Sunday* immediately after Divine Service,

of

of every ſubſequent Attendance or Meeting for executing this Act (Attendances or Meetings by Adjournment only excepted): Provided always, that all Attendances and Meetings of the Commiſſioners for executing this Act, in reſpect to the Pariſh of *Wrington*, ſhall be given or holden within the ſaid Pariſh of *Wrington*, or within Eight Miles thereof; and that all Attendances or Meetings of the Commiſſioner for executing this Act in reſpect of the Pariſhes of *Yatton* and *Kenn* ſhall be holden within the ſaid Pariſh of *Yatton*, or within Eight Miles thereof.

Other Notices how to be given.

VII. Provided always, and be it further enacted, That all the Notices requiſite and neceſſary to be made and given by either of the ſaid Commiſſioners for executing the ſaid Act, (the Manner of making and giving which may not be otherwiſe provided for by this Act), ſhall be made and given by Advertiſement in One or more of the ſaid *Briſtol* Newſpapers.

Commiſſioners to ſettle Diſputes.

VIII. And be it further enacted, That if any Queſtion or Diſpute ſhall ariſe between any Perſon or Perſons intereſted, or claiming to be intereſted in the ſaid Commonable or Waſte Lands, before ſetting out and allotting the ſame, in the Manner herein-after mentioned, touching the Extent, Identity, or Poſſeſſion of any Plot, Parcel, or Portion thereof, or touching or concerning the reſpective Rights and Intereſts which they or any of them ſhall have or claim to have, in or upon or over the ſaid Moors, Commons, or Waſte Lands, or touching or concerning any other Matter or Thing relating to the ſaid Diviſion, Allotment, and Incloſure, then it ſhall and may be lawful for the Commiſſioner appointed, or to be appointed, for executing this Act within the Pariſh or Pariſhes where ſuch Queſtion or Diſpute ſhall ariſe, to examine into, hear, and determine the ſame: Provided always, that nothing herein contained ſhall authorize either of the ſaid Commiſſioners, or any Commiſſioner to be appointed by virtue of this Act, to determine the Title to any Meſſuages, Cottages, Lands, Tenements, and Hereditaments whatſoever.

Power to aſſeſs Coſts.

IX. And be it further enacted, That in caſe either of the ſaid Commiſſioners, or any Commiſſioner to be appointed by virtue of this Act, ſhall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, to be delivered to them reſpectively, in purſuance of this Act, or the ſaid recited Act, ſee Cauſe to award any Coſts, it ſhall and may be lawful for ſuch Commiſſioner, and he is hereby empowered, upon Application made to him for that Purpoſe, to ſettle, aſſeſs, and award ſuch Coſts and Charges as he ſhall think reaſonable, to be paid to the Party or Parties in whoſe Favour any Determination of ſuch Commiſſioner ſhall have been made, by the Perſon or Perſons whoſe Claim or Claims, Objection or Objections, ſhall have been thereby diſallowed or over-ruled: And in caſe the Perſon or Perſons who ſhall be liable to pay ſuch Coſts and Charges ſhall refuſe or neglect to pay the ſame on Demand, then, and in every ſuch Caſe, it ſhall be lawful for the Commiſſioner by whom ſuch Coſts and Charges may have been awarded, and he is hereby authorized and required, by Warrant under his Hand 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 to try their Rights at Law.

X. Provided always, and be it further enacted, That in case any Person or Persons interested, or claiming to be interested in the said intended Division and Inclosure, shall be dissatisfied with any Determination of any Commissioner for executing this Act, touching or concerning any Rights or Interests in, over, or upon the said Commons, Moors, or Waste Lands, or any Part thereof, it shall and may be lawful for the Person or Persons so dissatisfied, to proceed to a Trial at Law of the Matter so determined by such Commissioner at the then next Assizes to be holden for the said County of *Somerset*, if the same shall not be holden within Three Calendar Months after such Determination; but if the said next Assizes shall be holden within Three Calendar Months next after such Determination, then at the Second Assizes to be holden for the said County of *Somerset* after such Determination shall have been made; and for that Purpose the Person or Persons who shall be dissatisfied with the Determination of such Commissioner, shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Two Calendar Months next after such Determination of such Commissioner; and shall also, within One Calendar Month after such Determination, give Notice in Writing, to the Commissioner who made such Determination, of his, her, or their being so dissatisfied; and the Defendant or Defendants in such Action or Actions shall, and he, she, or they is and are hereby required to name an Attorney or Attornies, who shall appear thereto, or file Common Bail, and accept One or more Issue or Issues whereby such Claim or Claims, and the Right or Rights thereby insisted on may be tried and determined; such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced, in case the Parties shall differ about the same; and the Verdict or Verdicts which shall be given in such Action or Actions shall be final, binding, and conclusive upon all and every Person or Persons whomsoever, 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 thereon, which it shall be lawful for the Court to do as is usual in other Cases; and after such Verdict or Verdicts shall have been obtained, and not set aside by the Court, the Commissioner in consequence of whose Determination such Action shall be brought, and his Successor shall, and he is hereby required to act in Conformity thereto, and to allow or disallow the Claim or Claims thereby determined, according to the Event of such Trial or Trials: Provided always, that the Determination of either of the said Commissioners touching any Claim or Claims, or other Rights or Interests, over or upon the said Commons, Moors, and Waste Lands within either of the Parish or Parishes for which he is appointed Commissioner, which shall not be objected to, or which 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 final and conclusive upon all Persons and Parties.

Death of Parties not to stop Proceedings.

XI. And be it further enacted, That if any of the Parties in any Action to be brought in pursuance of this Act shall die pending the same, such

ſuch Action ſhall not abate by Reaſon thereof, but ſhall be proceeded in as if no ſuch Event had happened.

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

XII. Provided always, and be it further enacted, That if any Perſon or Perſons in whoſe Favour any ſuch Determination ſhall have been made, and againſt whom any ſuch Action or Actions might have been brought, if living, ſhall die before any ſuch Action or Actions ſhall have been brought, and before the Expiration of the Time herein-before limited for bringing ſuch Action or Actions, it ſhall be lawful for the Perſon or Perſons who might have brought ſuch Action 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 Commiſſioner who may have made ſuch Determination, or his Succeſſors, with Proceſs for commencing ſuch Action or Actions, in the ſame Manner as the Party or Parties might have been ſerved therewith, if living; and it ſhall thereupon be incumbent on the Heir or Heirs, or other Perſon or Perſons who ſhall claim the Benefit of ſuch Determination as aforeſaid, to appear and defend ſuch Action or Actions in the Name or Names of the Perſon or Perſons ſo dead; and Proceedings ſhall be had thereon in the ſame Manner as if ſuch Perſon or Perſons had been actually living; and the 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.

XIII. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall extend to enable any Commiſſioner appointed, or to be appointed for executing this Act, to determine any Right between any Parties, contrary to the Poſſeſſion of any ſuch Parties (except in Caſes of Encroachments, as herein-after mentioned); but in caſe any ſuch Commiſſioner ſhall be of Opinion againſt the Right of the Perſon or Perſons ſo in Poſſeſſion, he ſhall forbear to make any Determination thereupon until the Poſſeſſion ſhall have been given up, or received from ſuch Perſon or Perſons by Ejectment or other due Courſe of Law.

Encroachments of Twenty Years ſtanding.

XIV. And be it further enacted, That all Cottages, Erections, Encroachments, and Incloſures, which have been erected and made upon or taken out of the ſaid Commons, Moors, or Waſte Lands, by any Freeholder or Freeholders, his, her, or their Tenant or Tenants, in reſpect of, or laid unto and occupied with his, her, or their Freehold Meſſuages, Lands, or Tenements within the ſaid ſeveral Pariſhes of *Wrington*, *Yatton*, and *Kenn* reſpectively, for the Space of Twenty Years or upwards, before the paſſing of this Act, and for which no Rent or Amerciament hath been paid, or Attornment been made to the reſpective Lords of the ſaid Manors, ſhall be deemed to be the Property of ſuch Freeholder or Freeholders reſpectively; and that all other Cottages, Erections, Encroachments, and Incloſures, which ſhall have been erected and made upon, or taken out of the ſaid Commons, Moors, or Waſte Lands, for the Space of Twenty Years or upwards, before the paſſing of this Act, ſhall be deemed the Property of the Lords of the ſaid Manors, as Owners of the Soil of the Commons, Moors, or Waſte Lands reſpectively, on which ſuch laſt-mentioned Cottages, Erections, Encroachments, and Incloſures have been erected or made, or of ſuch Perſon or Perſons as ſhall claim the ſame, by Conveyance from the Lord of ſuch Manor, or any of his Predeceſſors, or ſhall otherwiſe have a legal Title thereto: Provided always, that no

Allotment

Allotment ſhall be made for or in lieu of any Common Right which ſhall be claimed in reſpect of any ſuch Cottages, Erections, Encroachments, and Incloſures as laſt aforeſaid.

Encroachments under Twenty Years.

XV. And be it further enacted, That all Encroachments and Incloſures made upon, or taken out of the ſaid Commons, Moors, or Waſte Lands, within Twenty Years next before the paſſing of this Act, ſhall be deemed Part and Parcel of the Lands to be divided and incloſed by this Act; and ſuch Encroachments and Incloſures as ſhall have been made before the Firſt Day of *January* One thouſand eight hundred and nine, by any Freeholder or Freeholders as aforeſaid, his, her, or their Tenant or Tenants, and laid unto, and occupied with ſuch his, her, or their ſaid Freeholds, and for which no Rent or Amerciament hath been paid, or Attornment made to the Lord of the Soil of ſuch Commons, Moors, or Waſte Lands, ſhall, with all the Buildings and Erections thereon, be ſet out and allotted unto the Freeholder or Freeholders who ſhall be in Poſſeſſion thereof reſpectively, in part or in full of the Allotment herein-after directed to be made to him, her, or them, in caſe the Encroachment or Incloſures ſo made as aforeſaid ſhall not, in the Opinion of the Commiſſioner acting in the Execution of this Act for the Pariſh within which ſuch Encroachment or Incloſure ſhall be made, be more than equivalent to the Share or Part of ſuch Commons, Moors, or Waſte Lands, which ſuch Freeholder is entitled unto; but if ſuch Encroachments or Incloſures ſhall be of greater Value than any Part or Share of the ſaid Commons, Moors, or Waſte Lands, to which any ſuch Freeholder or Freeholders may be entitled, in ſuch Caſe, a competent Part of ſuch Encroachments or Incloſures ſhall be ſet out and allotted to ſuch Freeholder or Freeholders; and the Remainder of ſuch Encroachments and Incloſures ſo made before the ſaid Firſt Day of *January* One thouſand eight hundred and nine, and within Twenty Years before the paſſing of this Act as aforeſaid, with all Buildings and Erections thereon, ſhall be ſet out and allotted unto the Lord of the Manor within which ſuch laſt-mentioned Encroachments and Incloſures ſhall be made, in part of the Allotment to be made unto ſuch Lord: Provided that in the Valuation of ſuch Encroachments or Incloſures, either to the ſaid Lords, or any Freeholders to whom ſuch Encroachments or Incloſures ſhall be reſpectively allotted, the Buildings or Erections thereon ſhall not be conſidered, nor ſhall the Lands compriſing ſuch Encroachments or Incloſures be eſtimated at a higher Rate or Quality than the Commons, Moors, or Waſte Lands adjoining thereto.

Commiſſioner may alter Roads through ancient Incloſures.

XVI. And be it further enacted, That in caſe it ſhall appear to the ſaid *William White*, or to any other Commiſſioner to be appointed for putting this Act into Execution, as far as the ſame relates to the Pariſh of *Wrington*, that there are or is any Publick Highways or Highway, Bridle-roads or Bridle-road, Footways or Footway, in, through, over, or on the Sides of the old incloſed Lands or other Grounds within the ſaid Pariſh of *Wrington*, which may in his Judgement be diverted or turned without Inconvenience to the Publick into any other Publick Highways or Highway, Bridle-roads or Bridle-road, Footways or Footway, or be diverted or turned ſo as to make the ſame more convenient to the Publick, or be ſtopped up and deſtroyed as ſuperfluous and unneceſſary; and in caſe it ſhall appear to the ſaid *Joſeph Wollen*, or to any other Commiſſioner to be appointed for putting this Act in Execution as far as the ſame

relates to the Pariſhes of *Yatton* and *Kenn*, that there are or is any Publick Highways or Highway, Bridle-roads or Bridle-road, Footways or Footway, in, through, over, or on the Sides of the old incloſed Lands or other Grounds within either of the ſaid Pariſhes of *Yatton* or *Kenn*, which may in his Judgement be diverted or turned ſo as to make the ſame more convenient to the Publick, or be ſtopped up and deſtroyed as ſuperfluous and unneceſſary, it ſhall be lawful for the ſaid *William White* or *Joſeph Wollen*, or ſuch other Commiſſioner as aforeſaid, within the reſpective Pariſhes for which he is hereby authorized to act as a Commiſſioner, with the Concurrence and Order of Two Juſtices of the Peace, acting for the County of *Somerſet* (not being intereſted in the Matter in Queſtion), and in Manner and ſubject to Appeal, as in this or the ſaid recited Act is mentioned in and by his Award, to order and direct ſuch Publick Highways or Highway, Bridle-roads or Bridle-road, Footways or Footway as aforeſaid, to be altered, turned, ſtopped up, or diſcontinued in ſuch Manner as ſuch Commiſſioner ſhall think proper.

Perſons advancing Monies to be repaid out of the Firſt Monies raiſed by this Act.

XVII. And be it further enacted, That in caſe any Perſon or Perſons ſhall advance any Sum or Sums of Money for the Purpoſe of defraying the Expences of obtaining and paſſing this Act, and of carrying the ſame into Execution, every ſuch Perſon ſhall be repaid the ſame, together with lawful Intereſt, out of the Firſt Monies that ſhall be raiſed for defraying ſuch Expences, under and by virtue of this Act.

Commiſſioners empowered to borrow Money to pay Expences till Sale of Lands for that Purpoſe.

XVIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioner for executing this Act within the Pariſh of *Wrington*, and for the Commiſſioner for executing this Act within the Pariſhes of *Yatton* and *Kenn*, to borrow and take up at Intereſt of any Perſon or Perſons willing to advance and lend the ſame, ſuch Sum and Sums of Money as ſhall from Time to Time be neceſſary for defraying the Portion of the Coſts, Charges, and Expences of paſſing and executing this Act and the ſaid recited Act, to be paid by ſuch Pariſhes reſpectively; and all and every Sum or Sums of Money ſo to be borrowed, together with lawful Intereſt for the ſame from the Time of borrowing thereof, ſhall, from Time to Time, be a Charge upon the Lands lying within the Pariſh and reſpective Pariſhes on Account of which ſuch Money ſhall be borrowed, until the ſame ſhall be raiſed by Sale of Land as hereinafter mentioned.

Proviſion for Expences of the Act, &c.

XIX. And be it further enacted, That One Moiety of all the Coſts, Charges, and Expences of preparing and applying for and paſſing this Act, and the Whole of the Expences to be incurred in putting the ſame and the ſaid recited Act in Execution as far as reſpects the ſaid Pariſh of *Wrington*, and of forming and making Publick Roads and Ways, in, over and upon the Commonable or Waſte Lands in *Wrington* aforeſaid, ſhall be raiſed by Sale of a ſufficient Part of the ſaid Commons, called *Wrington Hill* and *Broadfield Down*, in the Pariſh of *Wrington* aforeſaid; and the other Moiety of the Coſts, Charges, and Expences of preparing, applying for, and paſſing this Act, and the Whole of the Expences to be incurred in putting the ſame in Execution, as far as reſpects the ſeveral Pariſhes of *Yatton* and *Kenn* aforeſaid, and of forming and making Publick Roads and Ways in, over, and upon the Commons, Moors, and Waſte Lands in the ſaid Pariſhes of *Yatton* and *Kenn*, ſhall be raiſed in the Firſt Place by

by the Sale of the Whole of *Cleve Hill*, in the Manner herein-after mentioned; and in caſe of any Deficiency ariſing therefrom, then by Sale of a ſufficient Part of the ſaid Commons, Moors, or Waſte Lands called *Kenn Moor* and *Moor Street Common*, and for providing a Fund for the Purpoſes aforeſaid, each of the Commiſſioners for executing this Act ſhall expoſe to Sale in Manner directed by the ſaid recited Act, ſuch Parts and Parcels of the ſaid Commons, Moors, and Waſte Lands hereby directed to be divided and encloſed as lie within the Pariſh or Pariſhes in reſpect of which he is appointed a Commiſſioner, (except the ſaid Common called *Cleve Hill*), and which is to be ſold and diſpoſed of in the Manner herein-after mentioned, as he ſhall judge moſt proper and expedient, and as ſhall be requiſite for the Purpoſes aforeſaid, and a Conveyance or Conveyances of the ſame by Leaſe and Releaſe, or by Grant or Bargain and Sale made and executed by the Commiſſioner who ſhall direct ſuch Land to be ſold, ſhall be valid and effectual in the Law, to veſt the ſame in the Purchaſer or Purchaſers thereof, and his, her, and their reſpective Heirs and Aſſigns abſolutely for ever, ſubject and liable to ſuch Orders, Directions, and Reſtrictions as ſhall be laid down and appointed in and by the Award of the Commiſſioner ſo conveying the ſame by this Act directed to be made; and each of the ſaid Commiſſioners for executing this Act ſhall, after Payment of the Coſts, Charges, and Expences attending every ſuch Sale or Sales, or in anywiſe relating thereto, pay and apply the Reſidue of the Monies ariſing therefrom in the Manner by this Act directed.

Application of the Surplus Monies.

XX. And be it further enacted, That in caſe any Part or Parts of the Lands to be ſold by virtue of this Act ſhall raiſe more Money than will be neceſſary to defray ſuch Coſts, Charges, and Expences as aforeſaid; then and in ſuch Caſe ſuch Surplus Money ſhall be divided and apportioned in Manner following; (that is to ſay), if there ſhall be any Surplus remaining of the Money raiſed by Sale of Lands in the Pariſh of *Wrington*, ſuch Surplus ſhall be divided and apportioned between the ſaid *William Harry* Earl of *Darlington*, and the ſeveral Proprietors of the reſpective Commonable or Waſte Lands within the ſaid Pariſh of *Wrington*, according to their ſeveral and reſpective Intereſts therein; and in caſe there ſhall be any Surplus remaining of the Money raiſed by Sale of Land in either of the ſaid Pariſhes of *Yatton* and *Kenn*, ſuch Surplus Money ſhall be divided and apportioned between the ſaid *John* Earl *Poulett* and the ſeveral other Proprietors of the Commons, Moors, and Waſte Lands in the Pariſhes of *Yatton* and *Kenn* aforeſaid, according to their reſpective Rights and Intereſts therein, and ſuch proportional Parts and Shares of all ſuch Surplus Money ſhall be paid to thoſe Proprietors who are Tenants in Fee Simple of the Eſtates in Right of which they ſhall be entitled to ſuch Surplus Money; but the Surplus Money to which any Proprietor not being Tenant in Fee may be entitled, ſhall be applied and diſpoſed of in the ſame Manner as any Money to be paid for the Purchaſe or Exchange of Lands, Tenements, or Hereditaments, or any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the ſame Uſes as is by the ſaid recited Act directed to be applied and diſpoſed of.

Allotment to the Earl of Darlington as

XXI. And be it further enacted, That after the Publick Highways, Private Roads, and other neceſſary Publick Conveniencies ſhall be ſet out and

and fixed, and the Lands to be ſold for defraying the Expences ſhall be ſet out and appointed as aforeſaid, the Commiſſioner hereby appointed for ſetting out, dividing, allotting, and incloſing the Commons or Waſte Lands, within the Pariſh of *Wrington* aforeſaid, ſhall, in the Firſt Place, ſet out and allot unto and for the ſaid *William Harry* Earl of *Darlington*, his Heirs and Aſſigns, his ancient Rabbit Warren upon *Wrington Hill*, called or known by the Name of *Wrington Warren*, the Boundary of which Warren ſhall be ſet out and aſcertained by the ſaid Commiſſioner, and be allotted and awarded accordingly; and in the next Place do and ſhall ſet out and allot One-twentieth Part of the ſaid Commons or Waſte Lands called *Wrington Hill* and *Broadfield Down*, within the Pariſh of *Wrington* aforeſaid, unto and for the ſaid *William Harry* Earl of *Darlington*, the Lord of the Manor of *Wrington* aforeſaid, as Owner of the Soil thereof, his Heirs and Aſſigns, in lieu of and as a Compenſation for his Rights and Intereſts into and upon the Soil of ſuch Commons and Waſte Lands within the ſaid Manor of *Wrington* hereby intended to be divided and incloſed as aforeſaid, over and beſides what he ſhall be entitled unto in reſpect of his old Auſter or ancient Tenements, and his ſaid ancient Rabbit Warren upon *Wrington Hill*, called or known by the Name of *Wrington Warren*, to be allotted and awarded as aforeſaid.

Lord of the Manor of Wrington.

XXII. And be it further enacted, That the ſaid Commiſſioner for ſetting out, dividing, allotting, and incloſing the Commons or Waſte Lands within the Pariſh of *Wrington* aforeſaid, ſhall and he is hereby authorized and required to ſet out, allot, and award the Reſidue and Remainder of the ſaid Commons or Waſte Lands called *Wrington Hill* and *Broadfield Down*, within the ſaid Pariſh of *Wrington*, unto, for, and amongſt the ſaid *William Harry* Earl of *Darlington*, and the ſeveral other Proprietors and Perſons claiming and being allowed Rights of Common thereon, in reſpect of their Tenements commonly called *Old Auſter*, or ancient Tenements ſituate within the Pariſh of *Wrington* aforeſaid, without any Regard to the yearly or other Value of ſuch Tenements, it being intended by this Act that each old Auſter or ancient Tenement within the ſaid Pariſh of *Wrington* (a Right of Common having been claimed and allowed for the ſame within the Meaning of this Act) ſhall have an Allotment of equal Value in the ſaid Commons or Waſte Lands, Share and Share alike; and it ſhall be lawful for the ſaid Commiſſioner to ſet out, allot, and award to and for each and every of the ſaid Proprietors, his, her, or their Share and Proportion of the ſaid Commons or Waſte Lands in ſuch of the ſaid Commons or Waſte Lands in the ſaid Pariſh of *Wrington*, as to the ſaid Commiſſioner ſhall ſeem moſt proper, to and for ſuch Uſes and ſubject to ſuch Lives as he, ſhe, or they now reſpectively hold their ſeveral old Auſter or ancient Tenements, in reſpect whereof he, ſhe, or they ſhall claim to be in anywiſe entitled to a Share of or intereſted in the ſaid Commons or Waſte Lands within the Pariſh of *Wrington* aforeſaid ſo intended to be incloſed as aforeſaid.

Allotments of the Reſidue of Lands in Wrington.

XXIII. And whereas the ſaid *John* Earl *Poulett* is the Owner of a certain Decoy Pool in *Kenn Moor* aforeſaid, which will be conſiderably injured if not wholly deſtroyed by the Incloſure of the ſaid Moor: And whereas the ſaid *John* Earl *Poulett* has agreed at his own Expence to do, perform, and maintain certain Works in the ſaid Common called *Kenn Moor*, known by the Name of *Moor Wall Works*, which Works the

Allotment to Earl Poulett as Lord of the Manors of Yatton and Kenn.

the ſeveral Owners and Proprietors of old Auſter or ancient Tenements within the ſaid Pariſhes of *Wrington*, *Yatton*, and *Kenn* were liable to do and perform at their own Expence; be it therefore further enacted, That after the Publick Highways, Private Roads, Drains, Watercourſes, and Bridges, and all other neceſſary Publick Conveniences reſpecting the Commons, Moors, or Waſte Lands in the Pariſhes of *Yatton* and *Kenn* aforeſaid, hereby directed to be divided and incloſed, ſhall have been ſet out and fixed, and the Lands ſold for defraying the Expence of obtaining and executing this Act in reſpect of the ſaid Pariſhes of *Yatton* and *Kenn*, ſhall have been ſet out and appointed as aforeſaid, the Commiſſioner acting in the Execution of this Act for the ſaid Pariſhes of *Yatton* and *Kenn* aforeſaid, ſhall, in the Firſt Place, ſet out and allot unto and for the ſaid *John* Earl *Poulett*, his Heirs and Aſſigns, ſuch Part and Parcel of the ſaid Common called *Kenn Moor*, as in the Judgement of the ſaid Commiſſioner will be a fair and juſt Recompence, Satisfaction, and Remuneration for the Injury, Loſs, and Damage which ſhall be done to the ſaid Decoy by the ſaid Incloſure of *Kenn Moor*, and for the Charges and Expences which the ſaid *John* Earl *Poulett* will incur in doing, performing, and maintaining the ſaid Works called *Moor Wall Works* within the ſaid Pariſhes of *Yatton* and *Kenn* aforeſaid, and in the next Place do and ſhall ſet out an Allotment equal in Value to One full Twentieth Part of the ſaid Commons, Moors, or Waſte Lands, called *Cleve Hill*, *Kenn Moor*, and *Moor Street Common*, within the Pariſhes of *Yatton* and *Kenn* aforeſaid, unto and for the ſaid *John* Earl *Poulett*, the Lord of the Manors of *Yatton* and *Kenn* aforeſaid, as the Owner of the Soil thereof, his Heirs and Aſſigns, in lieu of and as a Compenſation for his Rights and Intereſts, in, to, and upon the Soil of the Moors, Commons, or Waſte Lands within the ſaid Pariſhes of *Yatton* and *Kenn* hereby directed to be divided and incloſed.

Allotments of the Reſidue of Lands in Yatton and Kenn.

XXIV. And be it further enacted, That the Commiſſioner for executing this Act within the Pariſhes of *Yatton* and *Kenn* aforeſaid, ſhall, and he is hereby authorized and required to ſet out, allot, and award the Reſidue and Remainder of the ſaid Commons, Moors, or Waſte Lands, called *Kenn Moor*, and *Moor Street Common*, within the ſaid Pariſhes of *Yatton* and *Kenn*, unto, for, and amongſt the ſaid *John* Earl *Poulett*, and the ſeveral other Proprietors and Perſons entitled to Rights of Common therein in reſpect of the Tenements commonly called *Old Auſter* or ancient Tenements, ſituate within the Pariſhes of *Yatton* and *Kenn* aforeſaid, according to the Number of old Auſter or ancient Tenements to which each Proprietor ſhall be entitled, without any Regard being had to the yearly or other Value of ſuch Tenements.

Commiſſioner authorized to offer Cleve Hill to Lord Poulett at his Valuation.

XXV. And be it further enacted, That the Commiſſioner for executing this Act within the Pariſhes of *Yatton* and *Kenn* aforeſaid ſhall, and he is hereby required, previous to his expoſing any Allotment or Allotments of the ſaid Moors, Commons, or Waſte Lands to Sale by Auction in the Manner and ſubject to the Directions and Regulations mentioned and contained in the ſaid recited Act and this Act, to cauſe a Survey to be made of the ſaid Common or Waſte Lands called *Cleve Hill*, within the Pariſh of *Yatton* aforeſaid, and fix or ſet a Price or Value thereon; and the ſame being ſo ſurveyed and valued, the ſaid Commiſſioner is hereby required to offer the ſaid Common called *Cleve Hill Common* to Sale by Private Contract to the ſaid *John* Earl *Poulett*, or his Heirs, at ſuch his Valuation; and

and in caſe the ſaid *John* Earl *Poulett* ſhall become the Purchaſer of the ſaid Common called *Cleve Hill* at the Valuation of the ſaid Commiſſioner, to convey the ſame to him in Manner herein-before directed with reſpect to Sale of Land by the Commiſſioner; and the Money ariſing from the Sale thereof ſhall be applied by the ſaid Commiſſioner towards defraying the Coſts, Charges, and Expences of obtaining and paſſing this Act, and carrying the ſame and the ſaid recited Act into Execution, which are directed to be paid by the Perſons entitled to the Commons, Moors, and Waſte Lands in the Pariſhes of *Yatton* and *Kenn*, and the Surplus Money, if any, ſhall be applied in the Manner herein-before directed with reſpect to the Surplus or other Money to be raiſed by Sale of Land by virtue of this Act: Provided always, that in caſe the ſaid *John* Earl *Poulett* ſhall decline to purchaſe the ſaid Common or Waſte Lands called *Cleve Hill* at the Valuation of the ſaid Commiſſioner, then and in ſuch Caſe the ſaid Commiſſioner ſhall expoſe the ſame to Sale by Auction in the Manner and ſubject to the Directions and Regulations mentioned and contained in the ſaid recited Act and this Act.

Boundary Wall dividing Cleve Hill from Wrington Hill, to be built at the Expence of Yatton and Kenn.

XXVI. And be it further enacted, That the Commiſſioner for executing this Act, as far as the ſame relates to the ſeveral Pariſhes of *Yatton* and *Kenn* aforeſaid, ſhall, and he is hereby authorized and empowered to cauſe the Boundary Wall for dividing the ſaid Common or Waſte Lands called *Cleve Hill*, within the Pariſh of *Yatton* aforeſaid, from the ſaid Common or Waſte Lands called *Wrington Hill* within the Pariſh of *Wrington* aforeſaid to be built (at the Expence of the Proprietors of the ſaid old Auſter or ancient Tenements within the ſaid Pariſhes of *Yatton* and *Kenn*) Six Feet and an Half in Height, with Mortar Four Feet and an Half from the Baſe, and which ſaid Wall ſhall commence from the Boundary of the Pariſh of *Congreſbury* in the ſaid County of *Somerſet*, and extend unto the Boundary of the Pariſh of *Brockley* in the ſaid County of *Somerſet*, and be for ever after repaired, maintained, and kept by the Owners and Proprietors of *Cleve Hill* aforeſaid.

Proprietors of Allotments to fence in and incloſe the ſame.

XXVII. And be it further enacted, That all and every Perſon and Perſons to and for whom any Allotment or Allotments of the ſaid Commons, Moors, or Waſte Lands, ſhall be ſet out, ſtaked out, and allotted under and by virtue of this Act, ſhall reſpectively at his, her, and their own Expence, fence in and incloſe the ſame in ſuch Manner and within ſuch Time as the ſaid reſpective Commiſſioners ſhall in and by their reſpective Awards, or by any Writing under their Hands reſpectively, direct or appoint.

Commiſſioners may deliver Poſſeſſion of the Allotments before Execution of the Award.

XXVIII. And be it further enacted, That the ſaid reſpective Commiſſioners ſhall and may from Time to Time, as they ſhall find convenient, deliver to the ſeveral Perſons intereſted in the ſeveral Diviſions and Allotments to be ſet out under this Act, Poſſeſſion of their reſpective Allotments hereby directed to be made and ſet out, and ſuch Poſſeſſion ſo delivered ſhall be kept and retained by the ſeveral Perſons entitled thereto againſt all Perſons whomſoever, although the reſpective Awards herein-after directed to be made ſhall not at the Time of giving or delivering ſuch Poſſeſſion have been made and executed.

Proprietors may sell their Rights before Execution of the Award.

XXIX. And be it further enacted, That if any Perſon or Perſons hath or have ſold, or ſhall at any Time ſell his, her, or their Right, Intereſt, and Property in or upon the ſaid Moors, Commons, and Waſte Lands, or any Part thereof, or in, or to his, her, or their ſaid Allotment or Allotments, or any Part thereof to any Perſon or Perſons, then and in every ſuch Caſe the ſaid reſpective Commiſſioners ſhall and may make an Allotment of Land unto the Vendee or Purchaſer, Vendees or Purchaſers, in every ſuch Sale, Contract, or Agreement, or to his, her, or their Heirs or Aſſigns, for and in reſpect of ſuch Right, Intereſt, and Property ſo ſold as aforeſaid, or if ſuch Allotment or Allotments, or any Part or Parts thereof, ſhall then have been already made, to award the ſame, or ſuch Part or Parts thereof, as ſhall be ſo ſold as aforeſaid to ſuch Vendee or Purchaſer, Venders or Purchaſers, his, her, or their Heirs and Aſſigns; and every ſuch Vendee or Vendees, Purchaſer or Purchaſers, his, her, and their Heirs and Aſſigns, ſhall and may hold and enjoy the Lands ſo to be allotted to him, her, or them as aforeſaid, in the ſame Manner to all Intents and Purpoſes as the Vendor or Vendors in every ſuch Sale might, could, or ought to have held and enjoyed the ſame in caſe ſuch Sale had not been made, or ſuch Rights, Intereſts, or Property, had remained veſted in ſuch Vendor or Vendors as aforeſaid.

Allotment for Publick Stone and Gravel Pits.

XXX. And be it further enacted, That the ſaid reſpective Commiſſioners ſhall aſſign, ſet out, and allot unto the Surveyors of the Highways in the ſaid Pariſhes of *Wrington*, *Yatton*, and *Kenn* reſpectively, ſuch Parts of the Moors, Commons, and Waſte Lands hereby directed to be divided and allotted as the ſaid reſpective Commiſſioners ſhall think neceſſary, as and for Publick Stone and Gravel Pits, with a convenient Road and Roads to and for the ſame to be uſed by the Surveyors of the Highways, and by the Proprietors of Lands and Eſtates within the ſaid reſpective Pariſhes of *Wrington*, *Yatton*, and *Kenn*, and their Tenants for the Time being, in ſuch Manner and under ſuch Rules and Regulations as the ſaid reſpective Commiſſioners ſhall by their reſpective Awards direct or appoint, and not otherwiſe.

Ditches and Drains.

XXXI. And be it further enacted, That the ſaid Commiſſioner for executing this Act within the Pariſh of *Yatton* and *Kenn* aforeſaid ſhall, and he is hereby authorized and empowered to ſcour and widen, and change the Courſe or Direction of all and every the ancient Ditches, Drains, Watercourſes, Tunnels, Banks, and Bridges in the Pariſhes of *Yatton* and *Kenn* aforeſaid, as he ſhall think proper and neceſſary for the more effectually draining the ſaid Moors or Commons called *Kenn Moor* and *Moor Street Common*, and alſo ſhall and may ſet out and appoint ſuch new Ditches, Drains, Watercourſes, Tunnels, Watergates, Banks, and Bridges, to be made of ſuch Width, Depth, and Extent, and in ſuch Situation and Direction as the ſaid Commiſſioner ſhall think fit, as well in, through, and over the ſaid Commons, Moors, or Waſte Lands hereby intended to be divided and incloſed as aforeſaid, as alſo in, over, and through any ancient Incloſures or other Lands or Grounds within the ſaid Pariſhes of *Yatton* and *Kenn* aforeſaid, making ſuch Satisfaction to the Proprietors of ſuch ancient Incloſures or other Lands or Grounds not hereby directed to be divided and incloſed for the Damage done thereby as he ſhall judge reaſonable; and the ſaid Commiſſioner ſhall and may, and is hereby directed in and

and by his Award, to order and direct by whom, at whoſe Expence, at what Time, and in what Manner the ſaid Ditches, Drains, Watercourſes, Tunnels, Watergates, Banks, and Bridges ſhall be hereafter repaired, cleanſed, ſcoured, and maintained: Provided always, that nothing in this Act contained ſhall authorize the ſaid Commiſſioner to divert or turn any ſuch Watercourſe, or any Stream, Brook, or Rivulet, without the Conſent in Writing of the reſpective Owners of the Lands from or into which the ſame ſhall be directed or turned.

Rights of Commons extinguiſhed.

XXXII. And be it further enacted, That it ſhall and may be lawful for the ſaid reſpective Commiſſioners, and they are hereby reſpectively authorized and empowered at any Time or Times before the Execution of their reſpective Awards by Notice in Writing under their Hands reſpectively to be affixed upon the principal Doors of the Pariſh Churches of *Wrington*, *Yatton*, and *Kenn* aforeſaid, to order and direct all Rights of Intercommonage and Rights of Common and Rights of Stocking in and upon the Commonable or Waſte Lands, hereby intended to be divided and allotted, or any Part thereof, to ceaſe and be from thenceforth extinguiſhed, and the ſaid Works in the Common called *Kenn Moor*, within the ſaid Pariſhes of *Yatton* and *Kenn*, called *Moor Wall Works*, heretofore done and performed by the Proprietors of old Auſter or ancient Tenements within the ſaid ſeveral Pariſhes of *Wrington*, *Yatton*, and *Kenn*, to be aboliſhed; and that all ſuch Rights of Common and Rights of Stocking as the ſaid reſpective Commiſſioners ſhall by ſuch Writing reſpectively order and direct to be extinguiſhed; and ſuch Works called *Moor Wall Works* as the ſaid reſpective Commiſſioners ſhall order and direct to be aboliſhed, ſhall from the Time of affixing ſuch Notices on the ſaid Church Doors be extinguiſhed and be aboliſhed accordingly; and the ſeveral Proprietors of old Auſter or ancient Tenements within the ſaid ſeveral Pariſhes of *Wrington*, *Yatton*, and *Kenn*, ſhall be for ever thereafter exonerated and diſcharged from doing and performing the ſaid Works in *Kenn Moor* aforeſaid, called *Kenn Moor Wall Works*, any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Settlements, &c. not to be affected, nor Wills revoked.

XXXIII. Provided always, and be it further enacted and declared, That nothing in this Act contained ſhall extend or be conſtrued or adjudged to extend, revoke, make void, annul, or alter any Settlement, Deed, or Will, or to prejudice any Perſon having any Right to, or Claim of Dower, Jointure, Rent, Service, Annuity, Debt, Charge, or Incumbrance whatſoever, in, out of, upon, or affecting any Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be allotted or exchanged, in purſuance of this Act, or the ſaid recited Act, but that the ſeveral Meſſuages, Lands, Tenements, and Hereditaments, and other Eſtates ſo to be allotted or given in Exchange ſhall, from and after the making of ſuch Allotments and Exchanges, be, remain, and enure, and be held and enjoyed, and the ſeveral Perſons to whom the ſame ſhall be allotted or given in Exchange as aforeſaid, ſhall from thenceforth ſtand and be ſeiſed and poſſeſſed thereof reſpectively to ſuch and the ſame Uſes, and for ſuch and the ſame Eſtates, and with ſuch and the ſame Powers and Authorities for making Leaſes or otherwiſe, and ſubject to the ſame Wills, Limitations, Conditions, Settlements, Uſes, Truſts, Powers, Proviſoes, Rents, Debts, Charges,

Charges, and Incumbrances, as the ſeveral Lands, Tenements, or Hereditaments in reſpect, or in lieu whereof ſuch Allotments or Exchanges ſhall be reſpectively made, were and ſtood ſeverally limited or ſubject and liable unto at the Time of making ſuch Allotments or Exchanges reſpectively: Provided always, that the Lands and other Premiſes which ſhall be ſet out and aſſigned or allotted under or by virtue of this Act ſituate in the Pariſh of *Wrington* aforeſaid, ſhall become ſubject to the Payment of the ſame Species of Tithes, Modus, or Preſcription in the ſame Manner and to the ſame Perſon or Perſons as the ſeveral Lands, Tenements, or Hereditaments in reſpect or in lieu whereof ſuch Allotments ſhall be made were and ſtood ſeverally ſubject and liable unto at the Time of making ſuch Allotments.

Leaſes at Rack Rent to be void.

XXXIV. And be it further enacted, That the ſaid reſpective Commiſſioners ſhall, and they are hereby reſpectively directed and authorized (on Application made to them for that Purpoſe), to declare void every Leaſe or Leaſes at Rack Rent now ſubſiſting, or which may affect any of the Lands to be incloſed or exchanged within the ſaid ſeveral Pariſhes of *Wrington*, *Yatton*, and *Kenn*, and the ſame ſhall accordingly ceaſe at ſuch Time or Times as the ſaid reſpective Commiſſioners ſhall, by Writing under their Hands reſpectively, order or appoint, and the ſaid reſpective Commiſſioners are hereby empowered to adjudge ſuch Satisfaction to be made to the Leſſee or Leſſees reſpectively for the avoiding ſuch Leaſe or Leaſes as the ſaid reſpective Commiſſioners ſhall deem adequate to the Benefit and Intereſt which the ſaid Leſſee or Leſſees had or derived under the ſaid Leaſe or Leaſes before the paſſing of this Act, and alſo by whom and at what Time the ſame ſhall be made; and in caſe ſuch Satisfaction ſhall not be made accordingly, then it ſhall be lawful to and for ſuch Leſſee or Leſſees to ſue for and recover the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe.

For making Exchanges.

XXXV. And be it further enacted, That it ſhall and may be lawful for the ſaid *William White*, or any other Commiſſioner to be elected in his Stead, to ſet out, allot, and award any Meſſuages, Lands, Tenements, or Hereditaments whatſoever, within the ſaid Pariſh of *Wrington*, in lieu of and in Exchange for any other Meſſuages, Lands, Tenements, and Hereditaments whatſoever, within the ſaid Pariſh of *Wrington*, or within any adjoining Pariſh, Hamlet, Townſhip, or Place; and alſo that it ſhall be lawful for the ſaid *Joſeph Wollen*, or any other Commiſſioner to be elected in his Stead, to ſet out, allot, and award any Meſſuages, Lands, Tenements, or Hereditaments whatſoever, within either of the ſaid Pariſhes of *Yatton* or *Kenn*, in lieu of or in Exchange for any other Meſſuages, Lands, Tenements, or Hereditaments, within either of the ſaid Pariſhes of *Yatton* or *Kenn*, or within any Pariſh, Hamlet, Townſhip, or Place adjoining to the Pariſh in which the Lands to be exchanged ſhall be ſituated: Provided that all ſuch Exchanges be aſcertained, ſpecified, and declared in the Award of the Commiſſioner by whom the ſame ſhall be made, and be made with the Conſent of the Owner or Owners of the Lands, Tenements, or Hereditaments which ſhall be ſo exchanged, whether ſuch Owner or Owners ſhall be a Body or Bodies Politick, Corporate, or Collegiate, or a Tenant or Tenants in Fee Simple or in Fee Tail

General or Special, or for Life, or by the Courtesy of *England*, or for Years determinable on any Life or Lives, or with the Consent of the Guardians, Trustees, Feoffees for charitable or other Uses, Husbands, Committees, or Attornies, of or acting for any such Owners as aforesaid, who at the Time of making such Exchange or Exchanges, shall be respectively Infants, Femes Covert, Lunaticks, 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 Politick, Corporate or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every Exchange and Exchanges so to be made shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Lands, Tenements 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, or Hereditaments so to be exchanged shall be and be situated.

Expences of Exchanges or Partitions by whom to be paid.

XXXVI. And be it further enacted, That the Costs, Charges, and Expences attending the making and completing of any Exchanges, or Partitions to be made under and by virtue of the said recited Act or this Act, shall be borne, paid, and defrayed by the several Persons proposing or consenting to the making of such Exchanges or Partitions, in such Manner and in such Shares and Proportions as the Commissioner making such Exchanges or Partitions shall, by Writing under his Hand, order and direct.

Commissioners to lay their Accounts before a Justice once in every Year.

XXXVII. And be it further enacted, That Once at least in each and every Year during the Execution of such Act (such Year to be computed from the Time of passing hereof), both the said Commissioners acting in the Execution of this Act shall, and they are hereby required respectively to make a just and true Statement or Account of all Sums of Money by them respectively received and expended or due to them respectively for their Trouble or Expences in the Execution of this Act, and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by such Commissioners respectively laid before One of His Majesty's Justices of the Peace for the said County of *Somerset*, to be by him examined and balanced, and such Balance shall be by such Justice stated in the respective Books of Accounts to be kept in the Office of the Clerk of the said respective Commissioners, and no Charge or Item in such Accounts shall be binding on the Parties respectively concerned, or valid in Law unless the same shall have been duly allowed by such Justice.

Awards to be made.

XXXVIII. And be it further enacted, That as soon as conveniently may be after the Division and Allotment of the said Commons, Moors, or Waste Lands shall have been made and completed, pursuant to the Directions of this Act, each of the said Commissioners shall draw up and form, or cause to be drawn up and formed, an Award or Instrument in Writing, with One or more proper Plan or Plans to each of the said Awards annexed in the Manner prescribed by the said recited Act, which said

Awards or Inſtruments ſhall be fairly engroſſed or written on Parchment, and ſigned by the Commiſſioner making the ſame, and ſhall within Six Calendar Months after the ſame ſhall be ſo ſigned be depoſited with the Clerk of the Peace for the County of *Somerſet*, who is hereby required to receive, keep, and depoſit the ſame amongſt the Records of the ſaid County (for the depoſiting of which the Sum of Three Guineas and no more ſhall be demanded or paid for each Award), to the End that Recourſe may be had thereto by all Perſons intereſted in the ſaid Diviſion and Inclоſure, for the Inſpection of which ſaid Awards, or either of them, One Shilling ſhall be paid and no more, and a true Copy thereof, or of any Part thereof, when and as often as the ſame ſhall be required, ſhall be delivered to any Perſon or Perſons ſigned by the Clerk of the Peace or his Deputy for the Time being, purporting the ſame to be a true Copy, for which no more than Two-pence *per* Sheet, reckoning Seventy-two Words to each Sheet, ſhall be paid, which ſaid Copy, as alſo the reſpective original Awards or Inſtruments, and the Copies herein-after directed to be written on Parchment and ſigned by the Commiſſioner making the ſame, ſhall at all Times hereafter be admitted as legal Evidence in all Courts whatſoever; and the ſaid *William White*, or any other Commiſſioner acting in his Stead, is hereby directed and required to deliver a Copy of his Award fairly written on Parchment, with a proper Plan or Plans annexed thereto and ſigned by him, unto the Churchwardens of the ſaid Pariſh of *Wrington* for the Time being, to be by them depoſited in the Pariſh Cheſt of *Wrington* aforeſaid; and the ſaid *Joſeph Wollen*, or any other Commiſſioner acting in his Stead, is hereby required to deliver a Copy of his Award fairly written on Parchment, with a proper Plan or Plans annexed thereto, and ſigned by him, unto the Churchwardens of the Pariſh of *Yatton* aforeſaid for the Time being, to be by them depoſited in the Pariſh Cheſt of *Yatton* aforeſaid, to the End that Recourſe may be had to ſuch reſpective Awards by the ſeveral and reſpective Proprietors or Parties intereſted therein.

Appeal to the Quarter Seſſions.

XXXIX. 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 of the ſaid recited Act, then and in ſuch Caſe (except in ſuch Caſes where the Orders and Determinations of either of the ſaid Commiſſioners are by the ſaid recited Act or this Act directed to be final, binding, and concluſive, and alſo wherein an Iſſue at Law ſhall be tried as herein-before mentioned) he, ſhe, or they may appeal to the General Quarter Seſſions of the Peace which ſhall be held for the County of *Somerſet*, within Four Calendar Months next after the Cauſe of Complaint ſhall have ariſen, giving Fourteen Days Notice of ſuch Appeal to the ſaid reſpective Commiſſioners; and the Juſtices of the ſaid General Quarter Seſſions are hereby required to hear and determine the Matter of every ſuch Appeal, and make ſuch Orders therein, and award ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded, by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale, which Determination of the Juſtices ſhall be final and concluſive

ſive to all Parties concerned, and ſhall not be removed or removeable by *Certiorari* or any other Writ or Proceſs whatſoever into any of His Majeſty's Courts of Record at *Weſtminſter*.

The Act not to prejudice William Harry Earl of Darlington's Rights to Mines, &c.

XL. Provided always, and be it further enacted, That nothing in this Act ſhall be conſtrued to defeat, leſſen, or prejudice the Right, Title, and Intereſt of the ſaid *William Harry* Earl of *Darlington*, his Heirs and Aſſigns, of, in, and to the Mines, Ores, Coals, Metals, Minerals, and Quarries, of what Nature or Kind ſoever, lying and being within or under the ſaid Commons or Waſte Lands within the Manor of *Wrington* aforeſaid, and that the ſaid *William Harry* Earl of *Darlington*, his Heirs and Aſſigns, and all and every other Perſon and Perſons claiming by, under, and in Truſt for him as Lord of the ſaid Manor of *Wrington* for the Time being, ſhall and may from Time to Time, and at all Times for ever hereafter, have, hold, and enjoy all Quit Rents, Free Rents, and other Rents, Reliefs, Dues, Cuſtoms, Suits and Services, and all Fines, Amerciaments, Courts, Courts-leet, and View of Frankpledge, Courts Baron, and all Profits and Perquiſites of Courts and Leets, and all Things which to Courts-leet and Views of Frankpledge and Courts Baron do belong or appertain, and all Goods and Chattels of Felons and Fugitives, Felons of themſelves and put in Exigent, Deodands, Treaſure Trove, Waifs, Eſtrays, Forfeitures, Eſcheats, Fairs, Markets, Tolls, Cuſtoms, Stallages, Dues, Rights, Royalties, Immunities, Juriſdiction, Franchiſes, Privileges, Profits, Commodities, Advantages, Emoluments, Hereditaments, Matters, and Things whatſoever to the ſaid Manor of *Wrington*, or to the Lord thereof for the Time being, incident, belonging, or appertaining (other than and except the Right to the Soil of the ſaid Commons or Waſte Lands, and ſuch Common Right thereon as could or might be claimed by him, for which Compenſation is herein-before directed to be made), in as full, ample, and beneficial a Manner to all Intents and Purpoſes, as he could or might have held or enjoyed the ſame if this Act had not been made; and that the ſaid *William Harry* Earl of *Darlington*, his Heirs or Aſſigns, ſhall and may, from Time to Time, and at all Times hereafter, have, hold, win, work, and enjoy excluſively, all Mines, Ores, Coals, Metals, Minerals, and Quarries, of what Nature or Kind ſoever, within and under the ſaid Commons, Moors, or Waſte Lands within the ſaid Manor of *Wrington*, and within and under every Part thereof, and the ſeveral Allotments thereof, in purſuance of this Act, together with all convenient and neceſſary Ways and Wayleaves, and alſo Liberty of laying, making, and repairing Waggon Ways and other Ways, in, through, over, and along the ſame or any Part thereof, and alſo for ſearching for, winning and working the ſaid Mines, Minerals, and Quarries, and landing and carrying away the Lead Ore, Lead, Coals, Stones, Foſſils, and other Things to be gotten thereout, and of making Pits, Shafts and Stumps, Pit Rooms and Hemp Rooms, Drifts, Levels, and Watercourſes, and of repairing, amending, and upholding the ſame, and of erecting Buildings and uſing Houſes, Drawkilns, Erections, Buildings, Fire Engines and other Engines, Mills, and other Erections and Buildings, and of altering, changing, and pulling down and carrying away the ſame, or all or any of the Materials thereof at their free Will and Pleaſure, and to do, execute, and perform all ſuch other Works, Acts, Deeds, Matters, and Things, either now in uſe or hereafter to be invented, as ſhall

or

or may be neceſſary or convenient for the full and complete Working, Uſe, and Enjoyment of ſuch Mines, Minerals, and Quarries, hereby reſerved, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as he or they might or could have done in caſe this Act had not be made.

Satisfaction to be made for Damage done in working Mines, &c.

XLI. And be it further enacted, That in caſe the ſaid *William Harry* Earl of *Darlington*, his Heirs or Aſſigns, or any Perſon or Perſons claiming under him or them, ſhall, after ſuch Incloſures or Allotments made as aforeſaid, ſearch for, win, or work any Mine or Mines, Minerals or Quarries, lying and being within or under any of the Allotments or Incloſures to be made within the ſaid Manor of *Wrington* in purſuance of this Act, or land or carry away the Produce of or from any ſuch Mines, Minerals, or Quarries, then and in every ſuch Caſe the ſaid *William Harry* Earl of *Darlington*, and his Heirs and Aſſigns, or ſuch Perſon or Perſons ſo claiming under him or them as aforeſaid, ſhall make a reaſonable Satisfaction for the Damage and Spoil of Ground occaſioned thereby, or by the erecting or building any Houſes, Drawkilns, Erections, Buildings, Fire Engines, Mills, or other Erections, or by the altering, changing, repairing, amending, rebuilding, pulling down, or carrying away the ſame or any of the Materials thereof as aforeſaid, to the Perſon or Perſons who ſhall be in Poſſeſſion of ſuch Ground at the Time or Times of ſuch Damage or Spoil.

The Act not to prejudice John Earl Poulett's Rights to Mines, &c.

XLII. Provided always, and be it further enacted, That nothing in this Act ſhall be conſtrued to defeat, leſſen, or prejudice the Right, Title, and Intereſt of the ſaid *John* Earl *Poulett*, his Heirs and Aſſigns, of, in, and to the Mines, Ores, Coals, Metals, Minerals, and Quarries, of what Nature or Kind ſoever, lying and being within or under the ſaid Commons, Moors, or Waſte Lands within the ſaid Manors of *Yatton* and *Kenn* aforeſaid; and that the ſaid *John* Earl *Poulett*, his Heirs and Aſſigns, and all and every other Perſon and Perſons claiming by, under, and in Truſt for him as Lord of the ſaid Manors for the Time being, ſhall and may from Time to Time, and at all Times for ever hereafter have, hold, and enjoy all Quit Rents, Free Rents, and other Rents, Reliefs, Dues, Cuſtoms, Suits, and Services, and all Fines, Amerciaments, Courts, Courts-leet, and View of Frankpledge, Courts Baron, and all Profits and Perquiſites of Courts and Leets, and all Things which to Courts-leet and Views of Frank-pledge and Courts Baron do belong or appertain, and all Goods and Chattels of Felons and Fugitives, Felons of themſelves, and put in Exigent, Deodands, Treaſure Trove, Waifs, Eſtrays, Forfeitures, Eſcheats, Fairs, Markets, Tolls, Cuſtoms, Stallages, Dues, Rights, Royalties, Immunities, Juriſdictions, Franchiſes, Privileges, Profits, Commodities, Advantages, Emoluments, Hereditaments, Matters, and Things whatſoever, to the ſaid Manors of *Yatton* and *Kenn*, or to the Lord thereof for the Time being, incident, belonging, or appertaining, (other than and except the Right to the Soil of the ſaid Commons, Moors, or Waſte Lands, and ſuch Common Right thereon as could or might be claimed by him for which Compenſation is herein-before directed to be made), in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as he could or might have held or enjoyed the ſame if this Act had not been

made; and that the ſaid *John* Earl *Poulett*, his Heirs or Aſſigns, ſhall and may from Time to Time, and at all Times hereafter, have, hold, win, work, and enjoy exclusively, all Mines, Ores, Coals, Metals, Minerals, and Quarries, of what Nature or Kind ſoever, within and under the ſaid Commons, Moors, or Waſte Lands within the ſaid Manors of *Yatton* and *Kenn*, and within and under every Part thereof, and the ſeveral Allotments thereof in purſuance of this Act, together with all convenient and neceſſary Ways and Wayleaves, and alſo Liberty of laying, making, and repairing Waggon Ways and other Ways in, through, over, and along the ſame or any Part thereof, and alſo for ſearching for, winning, and working the ſaid Mines, Minerals and Quarries, and landing and carrying away the Lead Ore, Lead, Coals, Stones, Foſſils, and other Things to be gotten thereout, and of making Pits, Shafts and Stumps, Pit Rooms and Heap Rooms, Drifts, Levels, and Watercourſes, and of repairing, amending, and upholding the ſame, and of erecting Buildings and uſing Houſes, Drawkilns, Erections, Buildings, Fire Engines and other Engines, Mills, and other Erections and Buildings, and of altering, changing, and pulling down and carrying away the ſame, or all or any of the Materials thereof, at their free Will and Pleaſure, and to do, execute, and perform all ſuch other Works, Acts, Deeds, Matters, and Things either now in Uſe or hereafter to be invented, as ſhall or may be neceſſary or convenient for the full and complete Working, Uſe, and Enjoyment of ſuch Mines, Minerals, and Quarries hereby reſerved, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as he or they might or could have done in caſe this Act had not been made.

Satisfaction to be made for Damage done in working Mines, &c.

XLIII. And be it further enacted, That in caſe the ſaid *John* Earl *Poulett*, his Heirs or Aſſigns, or any Perſon or Perſons claiming under him or them, ſhall, after ſuch Incloſures or Allotments made as aforeſaid, ſearch for, win, or work any Mine or Mines, Minerals or Quarries, lying and being within or under any of the Allotments or Incloſures to be made within the ſaid Manors of *Yatton* and *Kenn* in purſuance of this Act, or land or carry away the Produce of or from any ſuch Mines, Minerals or Quarries, then and in every ſuch Caſe the ſaid *John* Earl *Poulett*, his Heirs and Aſſigns, or ſuch Perſon or Perſons ſo claiming under him or them as aforeſaid, ſhall make a reaſonable Satisfaction for the Damage and Spoil of Ground occaſioned thereby; or by the erecting or building any Houſes, Drawkilns, Erections, Buildings, Fire Engines, Mills, or other Erections, or by the altering, changing, repairing, amending, rebuilding, pulling down, or carrying away the ſame, or any of the Materials thereof as aforeſaid, to the Perſon or Perſons who ſhall be in Poſſeſſion of ſuch Ground at the Time or Times of ſuch Damage or Spoil.

General Saving of Rights.

XLIV. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon or Perſons, Bodies Politick and Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, all ſuch Eſtate, Right, Title, and Intereſt (other than ſuch as are meant and intended to be barred and deſtroyed by this Act), of, in, to, or in reſpect of the ſaid Waſte Lands to be divided, allotted and incloſed, or exchanged by virtue of this Act, as he, they, or every of them might or could have held and enjoyed in caſe this Act had not been made.

Act to be printed by the King's Printer.

XLV. 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. 1815.