



over and upon the same at certain Times of the Year, and claim to be the Owners or Proprietors of the Soil and Freehold of the said Moor or Common, or to be entitled to Right of Common over and upon the same: And whereas the Mayor and Aldermen of the Borough of *Richmond*, in the County of *York*, also claim to be seised and possessed, in their Corporate Capacity, for the Use and Benefit of certain Inhabitants of the said Borough, of the said Open Fields, and of the Soil and Freehold thereof, save and except that the said *Thomas Lord Dundas*, *John Yorke Esquire*, the said Mayor and Aldermen, *Henry Cowling Esquire*, and divers other Persons are Owners and Proprietors of the First Crop thereof, arising therein between the Fifth Day of *April* and the Tenth Day of *October* in every Year: And whereas the said Mayor and Aldermen also claim to be seised and possessed, in their Corporate Capacity, for the Use and Benefit of certain Inhabitants of the said Borough, of the said Stinted Pasture, and of the Soil and Freehold thereof, save and except that the said *Thomas Lord Dundas*, *John Yorke*, *William Chaytor Esquires*, and divers other Persons as Owners of ancient Burgage Houses within the said Borough, are entitled to, and do hold and enjoy in respect to each such Burgage House, a Right of Pasture for One Horse, or other Beast in the said Stinted Pasture, between the Fifth Day of *April* and the Tenth Day of *October* in every Year, subject to the yearly Payment of Two Shillings and Sixpence for each such Horse or Beast, to the said Mayor and Aldermen; and save that the Owners of Three Farms within the said Parish of *Richmond*, called *Applegarth*, *Jefferson's*, and *Stapleton's*, do hold and enjoy, for the Time aforesaid, certain Rights of Stint or Eatage in the said Pasture, in Right of the said Farms, under the yearly Payment of Seventeen Shillings to the said Mayor and Aldermen for such Stint or Eatage; and the said Mayor and Aldermen also claim to be seised and possessed, in their Corporate Capacity, for the Use and Benefit of certain Inhabitants of the said Borough, of the said Moor or Common, and of the Soil and Freehold thereof: 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 Property in the said Open Fields lies intermixed and dispersed in small Parcels, and as well the same Fields as the said Stinted Pasture and Common, are in their present State incapable of any considerable Improvement, neither can such Lands be occupied with such Convenience and Advantage as they respectively might, if the same were divided, allotted, and inclosed in Manner herein-after mentioned; but inasmuch as such Division, Allotment, and Inclosure cannot be effected without the Aid of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Open Fields, and Stinted Pasture and Common, shall be divided, allotted, and inclosed in Manner herein-after mentioned, and that *William Dawson of Tadcaster*, in the said County of *York*, Gentleman, or his Successor, to be elected in Manner herein-after mentioned, shall be, and he is hereby appointed, sole Commissioner for executing the several Powers vested in him by this Act, and for carrying the several Purposes of the said recited Act, and this Act,

Commission-  
er.

into Execution, and subject to the Regulations of the said recited Act, except in such Cases where the same are hereby altered or varied.

II. And be it further enacted, That the said Commissioner shall, and he is hereby directed to cause Notice to be published in the Parish Church of *Richmond* aforesaid, on a *Sunday* during Divine Service, and also to be published Once at least in the *York Courant*, of the Time and Place of his beginning to put this Act in Execution; and also of such other Day or Days as he shall appoint for receiving the Claims of any Person or Persons, or Bodies Politick or Corporate to any Share, Right, or Interest, in the said Open Fields or Stinted Pasture, or any Average Eatage or Pasturage thereon, or any Right of Common upon the said Common hereby directed to be divided and inclosed, so as the Place of Attendance to be mentioned in every such Notice be within Six Miles of the Parish of *Richmond* aforesaid, and so as every such Notice be given Ten Days at least before the First Day so to be appointed; and the said Commissioner shall and may afterwards proceed in the Execution of this Act, and from Time to Time adjourn to such Time and Place, as he shall think proper.

Notice of  
Commissioner's Attendance to receive Claims.

III. Provided always, and be it further enacted, That the said Proprietors shall at all Attendances upon the said Commissioner, for executing this Act, pay their own Expences, and also the Expences of their own separate Agents or Solicitors.

Proprietors to pay their own Expences.

IV. And be it further enacted, That all Persons and Bodies Politick or Corporate, having or claiming any Lands, Cattlegates, or Rights of Common, or Average Pasture, or Eatage, in or upon any of the said Open Fields, Stinted Pasture, or Common, shall, and they are hereby required by themselves, or their Agents, to lay all such their respective Claims in Writing, under their Hands, or the Hands of their Agents, before the said Commissioner, upon such Day or Days as he shall in Manner aforesaid appoint for receiving such Claims, together with a Description of their respective Open Field Lands, and also of their Cattlegates in the said Stinted Pasture, and of their respective Rights of Common, Average, or Pasture, or other Right respectively as aforesaid; and in respect of what Messuages, Cottages, or Scites thereof, Lands, Tenements, Grants, Privileges, or Prescriptions, they claim the same; and all Persons and Bodies Politick or Corporate neglecting so to lay or cause to be laid such their Claims, with such Descriptions of their respective Interest, before the said Commissioner as aforesaid, shall be, and he, she, or they are hereby excluded and debarred of and from all Right, Title, and Interest in and to the said Open Fields, Stinted Pasture, and Common respectively, and from any Part, Share, Allotment, or Benefit in lieu thereof, unless the said Commissioner shall see good Cause to prolong the Time for making such Claims; and that all Claims so made as aforesaid, shall, by the said Commissioner, be produced upon Request of any of the Proprietors interested in the said Division and Inclosure for Examination, and to take Copies thereof, if desired, to the Intent that such Claims may be known and fairly considered; and that all such Claims so made and delivered as aforesaid, and which shall not be objected to within One Calendar Month next after the Time so appointed for the Delivery of such Claims

Claims to be delivered to the Commissioner.

Claims respectively, shall be final and conclusive, and shall never afterwards be objected against, controverted, or disputed.

Commissioner may extinguish or suspend Rights.

V. And be it further enacted, That it shall and may be lawful to and for the said Commissioner, and he is hereby authorized, at any Time before the Execution of the Award herein directed to be made by the said Commissioner, by Writing under his Hand, to be affixed upon One of the Doors of the Parish Church of *Richmond* aforesaid, to order and direct all or any Part of the Rights of Common and Pasture, Average or Eatage of what Nature or Kind soever, in, over, and upon the said Open Fields, Stinted Pasture, and Common, or any Part thereof, to be extinguished, or the Exercise thereof to be suspended for and during such Time as shall be expressed in such Writing; and that all such Rights as the said Commissioner shall by such Writing order and direct to be extinguished, or the Exercise thereof to be suspended as aforesaid, shall, from the Time of affixing such Writing 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.

Allotment for common Quarries and Watering Places.

VI. And be it further enacted, That the said Commissioner shall, and he is hereby empowered to set out and appoint One or more Places for common Quarries for getting Materials for repairing the Roads within or over the Lands hereby directed to be inclosed, and for common Watering Places for Cattle, where and in such Manner as he shall think proper.

Defraying the Expences of the Commissioner and his Clerk,

and the other Expences of the Act.

VII. And be it further enacted, That the said Commissioner, and also his Clerk, shall be paid the Sum of Two Pounds Twelve Shillings and Sixpence, for each and every Day on which they shall respectively travel or be from Home, attend, or be otherwise employed for the Purpose of executing this Act, in full Satisfaction for their Trouble, and for all such Expences as they, or either of them shall be put unto for their Maintenance or otherwise, at the Time of such their respective Journies or Attendances; and that all Charges and Expences of soliciting for obtaining and passing this Act, and the carrying the same into Execution, shall be borne, paid, and discharged, by all the Owners and Proprietors of, and Persons and Bodies Corporate interested in the Lands and Estates to be divided, inclosed, allotted, drained, supplied with Water, or otherwise benefited or affected by virtue of this Act, at such Time and Times, and to such Person or Persons as the said Commissioner shall settle, adjudge, and determine, to be the just and fair Proportion to be paid by each such Proprietor, and other Person, and Body Corporate as aforesaid; he the said Commissioner, in the ascertaining and settling the said Proportions, having a due Regard to the Benefit which each such Proprietor, and other Person, and Body Corporate, shall receive or derive under and by virtue of this Act, and by the Works to be done in pursuance thereof.

Appointment of Commissioner in case of Vacancy.

VIII. And be it further enacted, That if the said *William Dawson*, or any other Commissioner, to be appointed in Manner herein-after mentioned, shall die, or shall neglect, refuse, or become incapable of acting,  
or

or carrying this Act into Execution, that then the major Part in Number and Value of the several Persons and Bodies Politick or Corporate, having any Lands, Cattlegates, or Right of Common, or Pasture, upon the Lands and Grounds hereby directed to be divided and inclosed, by themselves or their Agents, who shall be assembled at a Meeting to be held for that Purpose at some respectable Publick House in the Town of *Richmond* aforesaid, in pursuance of Twenty Days previous Notice, in Writing, signed by Six Proprietors of Lands or Cattlegates, so entitled as aforesaid, or their Agents, placed upon the principal Door of the Parish Church of *Richmond* aforesaid, upon some *Sunday* shall, or may, by any Instrument in Writing under their Hands, or the Hands of their Agents, elect from Time to Time some fit and proper Person not interested in the said Division or Inclosure, to be a Commissioner, in the Place of such Commissioner so dying, refusing, neglecting, or becoming incapable of acting as aforesaid; which said Commissioner, when elected as aforesaid, shall have the same Powers and Authorities for carrying this Act into Execution, as the Commissioner appointed by this Act is vested with.

IX. And be it further enacted, That that Part of the said Common Field or Stinted Pasture, called *Whitcliffe*, which hath been for several Years past used as a Race Ground, and whereon the Stand for viewing the Races is erected, and also so much of that Part of the said Common Pasture, which hath been used as Training Ground for Horses, as the said Commissioner shall deem necessary, not exceeding Fifty Acres in the whole for such Training Ground, shall remain in the same State and Condition as the same now are, in order that the same shall or may be depastured from Time to Time hereafter by the several Owners of the ancient Burgage Tenements in the Borough of *Richmond* aforesaid, having Right of Pasturage thereon in common, in the same Manner as such Owners have been heretofore used and accustomed to depasture the Whole of the said Common Pasture, but subject to such Regulations and Restrictions as to the Manner and Time of stinting, and as to the Number of Cattle to be stinted in respect of every such Burgage Tenement as the said Commissioner in his Award shall direct.

Part of Race Ground and Training Ground to remain in the same State.

X. And be it further enacted, That nothing herein contained shall extend or be construed to extend to affect, alter, or in any Respect prejudice any Right, Privilege, or Franchise of the Owners of the said ancient Burgage Tenements having a Right of Pasture in the said Common Pasture or Common Field, called *Whitcliffe Pasture*, other than and except such Rights of Common or other Rights in respect of which any Allotment or Compensation shall be made by virtue of this Act, but that the several Owners for the Time being of the said Burgage Tenements, shall by virtue of their respective Rights of Pasturage so reserved to them in and upon the Parts of the said Common Pasture, called *Whitcliffe*, herein-before described, and by virtue of the Allotments to be made to them pursuant to this Act, retain and possess all such Rights, Privileges, and Franchises, as the several Owners of such Burgage Tenements do now possess, enjoy, or are entitled to in respect of their Rights of Pasture on the said Common Field, called *Whitcliffe Pasture*, except as herein-before excepted.

Act not to affect Owners of ancient Burgage Tenements having Right of Pasture in *Whitcliffe*.

Rights of  
other Per-  
sons on *Whit-*  
*cliffe*, to be  
extinguished.

XI. And be it further enacted, That from the Time of Notice being given by the said Commissioner upon the principal Door of the Parish Church of *Richmond* aforesaid, for extinguishing all Rights of Average, Eatage, or Pasturage, upon the Part of the said Common Pasture called *Whitcliffe*, herein-before described, except the Right of Pasture of the said Owners of Burgage Tenements herein-before reserved, all such Rights of Average, Eatage, or Pasturage of all other Persons whatsoever, except the said Owners of Burgage Tenements, shall cease and be for ever extinguished.

Lands to be  
valued.

XII. And be it further enacted, That after staking out all publick and private Roads, Foot Paths, Ways, Gravel Pits, Watering Places, Drains, and Part of the said Common Pasture called *Whitcliffe*, to remain uninclosed as aforesaid, the said Commissioner shall, and he is hereby required, to make a true and perfect Valuation of all the Residue of the said Lands hereby directed to be divided and inclosed; and the Valuation so to be made as aforesaid shall be reduced into Writing, and noted upon the Plan to be made thereof, or to be made Use of according to the Directions of the said recited Act, and signed by the said Commissioner, and after being so signed the same shall, for the Purposes of this Act, be deemed the true Valuation of the same Lands respectively; and the same Valuation and Plan may be afterwards inspected by any of the Persons or Bodies Politick or Corporate interested, or any of their Agents, at any Attendance of the said Commissioner for the Execution of this Act, without Fee or Reward.

Allotment of  
the Residue.

XIII. And be it further enacted, That the said Commissioner shall in the next Place apportion, divide, set out, and allot all the said Residue of the said Lands, by this Act directed to be divided and inclosed, unto and amongst the several Proprietors, Persons, and Bodies Corporate interested therein, in Proportion to their respective Shares, Cattlegates, Rights of Average, Rights of Pasture, Rights of Common, Property and Interest in the same Lands respectively.

Allowing  
Parties to try  
their Rights  
by an Issue at  
Law.

XIV. And be it further enacted, That in case any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, interested or claiming to be interested in the said intended Division and Allotments, and particularly if any Lord or Lords, Lady or Ladies, of any Manor or Manors, within or over the said Parish of *Richmond*, shall be dissatisfied with any Determination of the said Commissioner, touching or concerning any Claim or Claims of the Right to the Soil of the said Commons and Waste Grounds, or of any Right of Common, or other Rights or Interests, in, over, and upon the Lands and Grounds herein directed to be divided, allotted, and inclosed, or any Part thereof, it shall and may be lawful to and for such Person or Persons so dissatisfied to proceed to a Trial at Law of the Matter so determined by the said Commissioner, at the then next or the following Assizes, to be holden for the said County of *York*; and for that Purpose the Person or Persons, Bodies Politick or Corporate, who shall be dissatisfied with the Determination of the said Commissioner, shall cause an Action to be brought upon a feigned Issue against the Person or Persons, Bodies Politick or Corporate, in whose Favour such Determination shall have been made, within Six Calendar Months next after such Determination of the said Commissioner; and  
the

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 upon, 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 and Persons whomsoever, Body or Bodies Politick, Corporate, or Collegiate, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial to be had therein, which it shall be lawful for the Court to do as is usual in other Cases; and after such Trial or Trials the said Commissioner is hereby required to act in conformity with the Verdict or Verdicts thereupon given, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials.

XV. And be it further enacted, That if any of the Parties in any Action to be brought in pursuance of this Act, shall die pending the same, such Action shall not abate by reason thereof, but shall be proceeded in, as if no such Event had happened.

Proceedings  
not to abate  
on Death of  
Parties.

XVI. And be it further enacted, That it shall be lawful for any Person or Persons, Body or Bodies Politick or Corporate, having any Right of Common, Average, Pasturage, or Eatage, or any other Right, Share, or Interest in any of the Lands so intended to be inclosed as aforesaid, at any Time before the forming and drawing up the Award of the said Commissioner, to sell and dispose of, or to let and demise all or any Part of their Estate, Right, Title, and Property, in or to any Right of Common or Pasture, Cattlegates, or other Right, Share, or Interest, in or upon the said Open Fields, Stinted Pasture, and Common, hereby directed to be divided and inclosed, or any of them, separate from the Messuages or Cottages, or Scites thereof respectively, or other Privilege or Prescription, in respect whereof he, she, or they shall be entitled to such Right, Share, or Interest; and every such Sale or Demise being specified and set forth in the Award of the said Commissioner, or in some other Deed or Instrument under the Hand and Seal of the Parties, or the Seal of the Body or Bodies Politick and Corporate, so selling or demising the same, shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Rights of  
Common  
may be sold  
separate from  
the Messuages.

XVII. And be it further enacted, That nothing in this Act contained shall be deemed, adjudged, or taken to revoke, make void, alter, or annul any Will or Settlement, or to prejudice any Person having or claiming to have any Jointure, Dower, Portion, Debt, or Incumbrance out of, upon, or affecting any of the Lands to be divided and inclosed, or exchanged, as aforesaid; but the said several Lands, Tenements, and Hereditaments so to be inclosed, shall, from and immediately after the making such Allotments respectively, be, remain, and enure to the several Persons and Bodies Politick or Corporate, to whom the same shall be allotted as aforesaid; and such Persons shall from thenceforth stand and be seised thereof to such and the same Uses, and subject to such and the same Wills, Settlements, Limitations, Remainders, Charges, and Incumbrances,

Wills and  
Settlements  
not to be re-  
voked.

cumbrances, as the several Lands, Tenements, and Hereditaments, in lieu whereof such Allotments shall be made, now are, or would have been subject, or liable to be charged with, in case the same had remained uninclosed, and this Act had not been made.

Horses, &c.  
not to be  
kept in the  
Roads.

XVIII. And be it further enacted, That no Horses, Asses, Cattle, Sheep or Lambs, Hogs or Geese, shall, for the First Ten Years, after the several Allotments to be made in pursuance of this Act, shall be staked out and entered upon by the respective Proprietors, be kept in any of the Roads or Ways to be set out or continued over the Lands and Grounds hereby directed to be divided and inclosed, which shall be fenced off on both Sides; nor shall it be lawful for any Person or Persons whomsoever for the like Space of Years to keep or depasture any Asses, Sheep, or Lambs, in or upon any new Inclosure or Allotment to be made by virtue of this Act, unless the Fences of the adjoining Allotments shall be actually fenced and secured from Injury by the Person or Persons depasturing the same, under a Penalty not exceeding Two Shillings for each Ass, Sheep, or Lamb, so kept in such new Allotment, to be recovered before any Justice of the Peace competent to act within the Borough of *Richmond* aforesaid, upon Complaint or Information on Oath in a summary Way; which Penalty such Justice is hereby required to cause to be levied accordingly by Warrant under his Hand and Seal.

Money advanced to be repaid.

XIX. And be it further enacted, That every Person or Persons who shall advance, lay out, or lend any Money for defraying the Expences of applying for and obtaining this Act, or putting the same in Execution, shall be repaid the same out of the First Monies which shall be thereafter raised or collected in pursuance thereof, with Interest for the same after the Rate of Five Pounds *per Centum per Annum* from the Time of laying down, advancing, or lending the same respectively.

For vacating Leases.

XX. And be it further enacted, That it shall be lawful for the said Commissioner, at any Time previous to the Execution of his Award, in all Cases where he in his Discretion shall deem it necessary or expedient for the due Execution of this Act, by any Writing or Writings under his Hand, to determine and make void all or any of the Leases or Agreements for Leases at Rack Rents, or from Year to Year then subsisting, of all, every, or any Part or Parts of the Lands and Grounds which are by this Act directed to be divided and allotted, and of all other Lands and Hereditaments within the said Parish, demised or agreed to be demised by or comprised in such Leases and Agreements respectively, either as to the Whole or as to some Part or Parts only of the Hereditaments comprised in such Leases or Agreements respectively, and at such Time or Times in the Year as the said Commissioner shall, in his Discretion think most convenient and expedient, according to the Circumstances of the Case; and in all Cases where any such Leases or Agreements shall be determined as aforesaid, the said Commissioner shall ascertain and declare whether any and what Sum or Sums of Money in the Gross ought to be paid, or any and what Deduction or Abatement in the reserved Rent or Rents ought to be made by the Lessors or Landlords to the Lessees or Tenants as a Compensation and Satisfaction for such total or partial Determination of their respective Leases or Agreements; and such Sums in the Gross and reduced Rents so ascertained and declared as aforesaid shall



shall respectively become payable or commence, at such Time or Times and in such Manner as the said Commissioner shall direct and appoint; and all such Sums in the Gross shall be charged upon the Lands in respect of which the same shall be payable, and shall and may be levied and recovered in the like Manner as is by this Act provided or mentioned with respect to the levying and recovering the Expences of passing and executing this Act; and all such reduced Rents shall, after the Commencement thereof, be payable and recoverable in like Manner as the Rents originally reserved would have been payable and recoverable if this Act had not passed; and in all Cases where such subsisting Leases or Agreements shall continue in force as to the Whole or any Part or Parts of the Hereditaments therein comprized, it shall be lawful for the said Commissioner in like Manner to ascertain and declare whether any and what additional Rent or Rents ought to be paid by the Lessees or Tenants to the Lessors or Landlords for or in respect of any Improvement in the annual Value of the Hereditaments comprized in such Leases or Agreements respectively by reason of the same being divided, and allotted respectively, by virtue of this Act; and such additional Rents so ascertained and declared as last aforesaid, shall commence at such Time or Times as the said Commissioner shall direct and appoint; and shall afterwards be payable and recoverable in like Manner as the Rents originally reserved, would have been payable and recoverable if this Act had not passed; and it shall be lawful for the said Commissioner in like Manner to settle, ascertain, and declare the Course of Husbandry to be used by such Lessees or Tenants during the Remainder of their subsisting Leases and Agreements, in all Cases where they shall deem it necessary or proper so to do.

XXI. And be it further enacted, That the said Commissioner shall, and he is hereby authorized and empowered to direct, divert, or alter, the Course of any Spring, Stream, or Current of Water, in the Lands hereby intended to be divided and inclosed (except such of the Springs from whence the said Town of *Richmond* is now supplied with Water for common Use, and so as thereby not to injure any Person or Persons at present entitled to, and using the Benefit of any such Spring, Stream or Current of Water, so to be diverted or altered), and to carry and convey the same, as well in, through, and over the Lands and Grounds hereby intended to be divided and inclosed; as also in, over, and through any ancient Inclosures or other Lands or Grounds within the said Parish of *Richmond*, for the Purpose of supplying Water to all or any of the Allotments to be made in pursuance of this Act (making such Satisfaction to the Proprietors of such ancient Inclosures for so doing as he shall think proper); and the said Commissioner shall and may, and he is hereby directed by his Award to be made in pursuance of this Act, to set out appoint the Course, Width, Depth, and Dimensions, of all and every such Watercourses, Conduits, Pipes, and Sluices, as shall be required for the Supply of Water to the said several Allotments, and by whom, at whose Expence, at what Time, and in what Manner, the said Watercourses, Conduits, Pipes, and Sluices, shall respectively be made, and thereafter repaired, cleansed, scoured, and maintained; and the several Persons by whom the same are to be so respectively made, repaired, cleansed, scoured, and maintained, shall, and they are hereby enabled to enter and go for that Purpose, at all seasonable Times, into and upon as well the respective Allotments to be made by virtue of this Act, as into and upon

Allowing  
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sioner to alter  
the Course of  
Water, ex-  
cepting the  
Springs for  
supplying  
*Richmond*.

[*Loc. & Per.*]

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such

such ancient Inclosures or other Lands and Grounds, in, through, or over which the said Watercourses, Conduits, Pipes, and Sluices, shall be so directed to be made or placed.

Power to enter Lands to clear Pipes or Aqueducts.

XXII. And whereas the Inhabitants of the said Borough have from Time immemorial been supplied with Water from and through the Lands and Grounds hereby intended to be divided and inclosed, or some of them, be it therefore enacted, That it shall and may be lawful for the Corporation of the said Borough, or the Parish Officers, or other proper Representatives of the Parish of *Richmond* aforesaid, or their respective Servants, Agents, or Workmen, from Time to Time, and at all Times hereafter, to enter and go into and upon any of the Lands, so to be inclosed as aforesaid, for the Purpose of clearing, mending, and repairing any of the Drains, Pipes, or Aqueducts now made or placed therein for supplying the Town of *Richmond* aforesaid with Water; and also for the Purpose of making, cutting, and placing any new Drains, Pipes, or Aqueducts, for conveying Water to the said Town as aforesaid, from any of the Springs from which the same is now conveyed; or in case the same Springs shall fail and become insufficient for such Supply, then from any other Spring or Springs now being or hereafter to be found in or near to any of the Lands so to be inclosed as aforesaid; and also for the Purpose of searching for such Springs as aforesaid, such Operations being conducted with as little Damage as possible to the Surface of the Ground, upon which the same shall be made, and without injuring the Supply of Water of the Owners of the respective Inclosures so to be made as aforesaid for their private Use therein.

No Watercourse to be diverted.

XXIII. Provided always, and be it further enacted, That it shall not be lawful for the Commissioner to divert any Watercourse or Rivulet, running through any Part of the Lands and Grounds by this Act directed to be divided and allotted without the Consent of the Person or Persons so entitled to the Use thereof.

Advertisements to be published in the *York Courant*.

XXIV. And be it further enacted, That all Advertisements in any publick Newspaper, to be made of any Matter or Thing done, or to be done, in pursuance of this Act, shall be made and published in the Newspaper commonly called *The York Courant*.

Extending the Powers given to Justices of Peace for Counties, to Justices competent to act for the North Riding.

XXV. And be it further enacted, That in all Cases where, by the said recited Act, Power is given to any Justice of the Peace of any County, to administer any Oath or Affirmation, levy any Penalty or Forfeiture, or to do any other Act touching the Premises, it shall and may be lawful to and for any Justice of the Peace competent to act as such in and for the said Borough of *Richmond*, or for the said North Riding of the County of *York*, to administer such Oath or Affirmation, levy such Penalties or Forfeitures, or do such other Acts respectively.

Appeal.

XXVI. 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, then and in every such Case (except where the Orders and Determinations of the said Commissioner is directed to be final, binding, or conclusive, and except in such Cases wherein an Issue at Law may be tried as herein-before mentioned) such Person or Persons may appeal to the

the General Quarter Sessions of the Peace which shall be held in and for the said North Riding of the County of *York*, within Four Calendar Months next after the Cause of Complaint shall have arisen, and the Justices at such Sessions are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein as they shall think reasonable; and such Determination of the said Justices shall be final and conclusive on 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* or elsewhere.

XXVII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their respective Heirs, Successors, Executors, and Administrators, all such Estate, Right, Title, and Interest (other than those meant and intended to be barred and excluded by this Act), as they, every, or any of them had or enjoyed of, in, to, or out of the said Lands and Grounds, so directed to be divided, allotted, and inclosed as aforesaid, before the passing of this Act, or could or might have held or enjoyed in case the same had not been made.

General Saving.

XXVIII. And be it further enacted, That this Act shall be deemed, adjudged, and construed to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Publick Act.

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