



ANNO QUADRAGESIMO TERTIO

GEORGI II. REGIS.

Cap. 146.

An Act for inclosing Lands within the Fields, Liberties, and Precincts of *Wroxton* and *Balscot*, in the Parish of *Wroxton*, in the County of *Oxford*.

[11th August 1803.]

WHEREAS there are divers Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, lying within the Parish of *Wroxton*, and *Balscot* in the same Parish, in the County of *Oxford*: And whereas the President, Fellows, and Scholars, of the College of the Holy and Undivided Trinity in the University of *Oxford*, of the Foundation of Sir *Thomas Pope* Knight, deceased, are Lords of the Manor of *Wroxton* with *Balscot* aforesaid, and are entitled to the greatest Part of the said Lands and Grounds, which are held of them by Leases for Twenty-one Years, usually renewed, and by Copies of Court Roll for Lives: And whereas the said President, Fellows, and Scholars, and the Right Honourable *Francis* Earl of *Guildford* as their Lessee, are also entitled to certain Clofes or inclosed Ground of Meadow or Pasture, commonly called *Demesne Lands*, which are Tythe-free: And whereas the said President, Fellows, and Scholars, and the said Earl as their Lessee, are also entitled to Thirty Yard-Lands situate in the Common Fields of *Wroxton* and *Balscot*, which have been heretofore and still are called *Demesne* or *Abbey Lands*, and which Thirty Yard-Lands the said President, Fellows, and Scholars, claim to be Tythe-

[*Loc. & Per.*]

32 D

free:

free: And whereas the Dean and Chapter of the Cathedral Church of *Christ* in *Oxford*, of the Foundation of King *Henry* the Eighth, and the said Earl as their Lessee, are seised of or entitled to the Improprate Rectory or Parsonage of *Wroxton* aforesaid, and in Right thereof are entitled to all and all Manner of Tythes yearly arising, renewing, or increasing upon, from, or out of all the Lands and Grounds within the said Parish (save and except as aforesaid), and subject to the Claim of the said President, Fellows, and Scholars, to the Tythes of the said Thirty Yard-Lands: And whereas the Principal and Scholars of the King's Hall and College of *Brazen Nose* in *Oxford*, are seised of certain Parts of the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, which are held of them by a Lease or Leases for Twenty-one Years, usually renewed: And whereas the Reverend Sir *Richard Cope* Baronet, and others, are seised of or entitled to the Residue and Remainder of the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands: And whereas the poor Inhabitants of the said Parish of *Wroxton* have or claim to have a Right of cutting and taking away Furze Bushes and Thorns of or from the Commons or Waste Grounds hereby intended to be divided, allotted, and inclosed, or of or from some or One of them: 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 Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, lie intermixed and dispersed in small Quantities, so as to be inconvenient for Occupation, and in their present Situation, are incapable of any considerable Improvement; and it would be advantageous to the several Persons interested therein if the same were divided and inclosed, and specifick Shares allotted to the several Proprietors; but as such Division and Inclosure cannot be established 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 *John Davis* of *Bloxham*, in the County of *Oxford*, *William Sedgwick* of *Rickmansworth*, in the County of *Hertford*, and *John Chamberlin* of *Cropredy*, in the said County of *Oxford*, Gentlemen, and their Successors to be nominated and elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for dividing, allotting, and inclosing, the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, lying within the Fields, Liberties, and Precincts, of *Wroxton* and *Balscot* aforesaid, according to the Rules, Orders, Provisions, and Directions, in the said recited Act contained (except so far as they are hereby varied or altered, and according to such other Rules, Orders, Provisions, and Directions, as are herein-after expressed and contained, and for otherwise putting this Act in Execution; and all Acts, Matters, and Things, which shall be done or executed by any Two of the said Commissioners, shall be and the same are hereby declared to be as good, valid, and effectual, to all Intents and Purposes whatsoever, as if the same were respectively done and executed by all the said Commissioners; and in case of any Difference between the said Commissioners touching the Execution of the

Commissioners.

All Acts may be done by Two Commissioners.

Powers of this or the said recited Act, in relation to the Premises, the Determination of the major Part of them for the Time being shall be binding and conclusive.

II. And be it further enacted, That when and as often as any of the Commissioners herein-before named or be appointed in Manner herein-after expressed, shall die, or refuse to act, or become incapable of acting as a Commissioner or Commissioners for the Purposes of this Act, then and in every such Case a new Commissioner or Commissioners, not being in any Manner interested in the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, shall and may be nominated, elected, and appointed in Manner following; (that is to say), if the said *John Davis* shall die, refuse to act, or become incapable of acting as aforesaid, it shall be lawful for the said Dean and Chapter of *Christchurch* to nominate and appoint One other Commissioner in the Room and Stead of the said *John Davis*, and so from Time to Time as often as any Commissioner appointed by the said Dean and Chapter shall die, refuse to act, or become incapable of acting; and if the said *William Sedgwick* shall die, refuse to act, or become incapable of acting as aforesaid, it shall be lawful for the said President, Fellows, and Scholars, to nominate and appoint One other Commissioner in the Room and Stead of the said *William Sedgwick*, and so from Time to Time as often as any Commissioner appointed by the said President, Fellows, and Scholars, shall die, refuse to act, or become incapable of acting; and if the said *John Chamberlin* shall die, refuse to act, or become incapable of acting as aforesaid, it shall be lawful for the major Part in Value of the Proprietors of and Persons interested in the said Lands and Grounds (except the said Dean and Chapter, and the said President, Fellows, and Scholars, and except Tenants at Rack Rent) or to or for the respective Attornies or Agents of such Proprietors or Persons interested, who shall be present at a publick Meeting or respective publick Meetings to be holden for that Purpose in the Parish Church of *Wroxton* aforesaid, in pursuance of publick Notice to be given in the Weekly Newspaper published at *Oxford*, and by Writing to be affixed to the principal outer Door of the said Parish Church, Fourteen Days at least before every such Meeting, (which Notice the other Commissioner or Commissioners, or their Clerk, are and is hereby enabled and required forthwith to give), by Writing under their Hands, to elect and appoint Two Commissioners together, or one after another, or One Commissioner only, as the Case may require, in the Room and Stead of the said *John Davis*, *William Sedgwick*, and *John Chamberlin*, so dying, refusing to act, or become incapable of acting, and so from Time to Time as often as any Commissioner to be appointed by the said Proprietors and Persons interested as aforesaid, shall die, refuse to act, or become incapable of acting; and in case the Person or Persons respectively herein-before enabled to appoint a Commissioner or Commissioners in the Place and Stead of any other Commissioner or Commissioners who shall die, refuse to act, or become incapable of acting as aforesaid, for the Space of Fourteen Days next after any such Vacancy shall happen, then and in every such Case the surviving or remaining Commissioner or Commissioners, shall and may, by Writing under their or his Hands or Hand, nominate and appoint One or more Commissioner or Commissioners (as the Case may require) in the Room and Stead of the Commissioner or Commissioners so dying, refusing to act, or becoming incapable

Appointment
of new Com-
missioners.

incapable of acting, whose Place or Places shall not be filled up by the Person or Persons respectively enabled to appoint as aforesaid, and so *toties quoties*; and every such new Commissioner so to be appointed, shall have the same Powers and Authorities by virtue of this Act, as any Commissioner his Predecessor had or was invested with before his Death, Refusal, or Incapacity to act.

Notice of Meetings to be given.

III. And be it further enacted, That the said Commissioners shall and they are hereby required to cause Notice to be given in Writing under their Hands, to be affixed on One of the principal outer Doors of the Parish Church of *Wroxton* aforesaid, of the Time and Place of the First and every other Meeting of the said Commissioners for executing the Powers hereby vested in them, at least Ten Days before any such Meeting (Meetings by Adjournment only excepted); and that all Meetings for executing the Powers of this Act shall be held at some convenient Place in *Wroxton* aforesaid, or within Eight Miles thereof; and in case at any such appointed or adjourned Meeting only One of the said Commissioners shall attend, such Commissioner may adjourn the same in such Manner, and to such Place, as he shall think proper and convenient.

Other Notices, how to be given.

IV. And be it further enacted, That all other Notices necessary or requisite to be made and given by the said Commissioners, shall be so made and given by Writing, to be affixed on One of the principal outer Doors of the said Parish Church of *Wroxton*, or by Advertisement in the said Newspaper, or in some other Newspaper circulated in the said County of *Oxford*.

Allowance to the Commissioners.

V. And be it further enacted, That the said Commissioners who shall act in the Execution of the Powers and Authorities hereby vested in them, shall be paid the Sum of Two Pounds Twelve Shillings and Sixpence each, and no more, for each Day they shall be employed therein (Days of travelling to and from their Homes included), the same to be in full Satisfaction for all the Trouble and Expences which they respectively shall be put to in and concerning the Execution of the Powers and Authorities aforesaid; and every Proprietor and other Person interested in the Execution of this and the said recited Act, who shall attend any Meeting to be held by the said Commissioners in pursuance of this or the said recited Act, shall bear and pay his or their own Expences of such Attendance.

Survey to be made by *James Jennings* of *Somerton*.

VI. And be it further enacted, That the Survey, Admeasurement, and Plan to be made in pursuance of the said recited Act, shall be made by *James Jennings* of *Somerton*, in the County of *Oxford*, Land Surveyor; and in case he shall die, neglect, or refuse to act, or become incapable of acting, then the same shall be made and finished by such other Person or Persons as shall be nominated and appointed for that Purpose by the said Commissioners.

Commissioners to settle Disputes.

VII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the Division, Allotment, and Inclosure, intended to be made by virtue of this Act, touching or concerning the Right of, in, or to the said Open Fields,

Fields, Commons, Pastures, Common Meadows, and other Commonable Lands, or any Part or Parts thereof, or touching or concerning the respective Rights and Interests which they or any of them shall have or claim to have, in, upon, or over the same, or other the Lands and Grounds aforesaid, or touching or concerning any other Matter or Thing relating to the said Division, Allotment, and Inclosure, it shall be lawful for the said Commissioners, and they are hereby authorized to examine into, hear, and determine the same: Provided always, that nothing herein contained shall authorize the said Commissioners to determine the Title to any Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever.

VIII. And be it further enacted, That in case the said Commissioners shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, to be delivered to them in pursuance of this or the said recited Act, see Cause, from the Litigiousness of any Party or Parties, or his, her, or their Agent or Agents, to award any Costs, it shall be lawful for the said Commissioners, and they are hereby empowered, upon Application made to them for that Purpose, to settle, assess, and award such Costs and Charges as they shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons whose Claim or Claims, Objection or Objections, shall be thereby disallowed or overruled; and in case the Person or Persons who shall be liable to pay such Costs and Charges, shall neglect or refuse to pay the same on Demand, then and in every such Case it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands, 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.

Power to
assess Costs.

IX. 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, Allotment, and Inclosure, shall be dissatisfied with the Determination of the said Commissioners, touching or concerning any Claim or Claims of, in, or to the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands hereby directed to be divided, allotted, and inclosed, or any Part thereof, or touching or concerning any other Matter or Thing relating to the said intended Division, Allotment, and Inclosure, it shall be lawful for the Person or Persons so dissatisfied, to proceed to a Trial at Law of the Matter so determined by the said Commissioners, at the then next or at the following Assizes to be holden for the said County of *Oxford*, and for that Purpose the Person or Persons who shall be dissatisfied with the Determination of the said Commissioners, shall cause an Action to be brought for Trial of a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Three Calendar Months next after such Determination of the said Commissioners, and the Defendant or Defendants in such Action or Actions shall, and

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

[*Loc. & Per.*]

32 E

he,

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 feigned 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 and to all and every Person and 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 or new Trials to be had therein, which it shall be lawful for the Court to do as usual in other Cases; and after such Verdict or Verdicts shall be obtained and not set aside by the Court, the said Commissioners shall and they are hereby required to act in Conformity thereto, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioners touching such Claim or Claims of, in, or to the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands hereby directed to be divided, allotted, and inclosed, or of any Part thereof, or touching or concerning any other Matter or Thing relating to the said intended Division, Allotment, and Inclosure, which shall not be objected to, or being objected to, the Party or Parties objecting not causing such Action at Law to be brought and proceeded in as aforesaid, shall be final and conclusive to and upon all Parties.

Determination of the Commissioners to be final, if not objected to, or no Action brought.

If any of the Parties in such Actions die, Proceedings not to abate.

X. 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.

Allotments to be set out for Chalk and Gravel Pits.

XI. And be it further enacted, That the said Commissioners shall and they are hereby required, before any other Allotment or Allotments shall be made in pursuance of this Act, to set out, assign, and allot such convenient Plots and Pieces of Ground, Part of the Lands hereby intended to be divided, allotted, and inclosed, as they shall think fit for publick Chalk, Gravel, and Rubble Pits, and for Stone Quarries, for the Purpose of furnishing Materials for making and repairing the publick Roads and Ways in and over the Lands and Grounds hereby intended to be divided, allotted, and inclosed, and elsewhere in the said Parish, and for raising, levelling, and repairing the respective Farm Yards and Footways, and under-draining any Lands in *Wroxton* aforesaid, which Ground so to be set out shall be separated, inclosed, and kept fenced in such Manner, and by such Person or Persons, and shall be used under such Regulations and Restrictions as the said Commissioners shall by their Award order and direct; and the Grass and Herbage growing and to grow upon the Plots and Pieces of Ground so to be set out as aforesaid, shall be, and the same are hereby vested in the Surveyor or Surveyors of the Highways for the Time being of the said Parish for ever, in Trust, to let the same from Time to Time for the best Rent that can be reasonably gotten in that Behalf, and to apply the Rents and Profits thereof in repairing the Highways within the said Parish of *Wroxton*.

XII. And

XII. And be it further enacted, That if the poor Inhabitants of *Wroxton* aforesaid shall establish their Claim to the Right of cutting and taking away Furze Bushes and Thorns of and from the said Commons and Waste Lands, or any or either of them hereby intended to be divided, allotted, and inclosed, then and in such Case the said Commissioners shall, and they are hereby authorized and required, to set out and allot unto and for the Curate, Curchwardens, and Overseers of the Poor of the Parish of *Wroxton* aforesaid for the Time being for ever, such Plot or Plots, Parcel or Parcels of Land and Ground, Part of the said Lands and Grounds by this Act intended to be divided, allotted, and inclosed, as in the Judgement of the said Commissioners shall be deemed an Equivalent to and Compensation for any Right which the poor Inhabitants of the said Parish of *Wroxton* are entitled to in cutting and taking away Furze, Bushes, and Thorns from any of the Commons or Waste Grounds hereby intended to be divided, allotted, and inclosed, upon the following Trusts; (that is to say), upon Trust to let and set the said Plot or Plots, Parcel or Parcels of Ground annually or otherwise, and to apply the Rents, Issues, and Profits arising therefrom, or the Value thereof, in purchasing Apparel, Fuel, and other Necessaries, as the said Trustees or their Successors, at their Discretion shall think fit, to distribute amongst and unto the poor Inhabitants of the said Parish of *Wroxton*, over and above any Alms, Allowance, or Relief whatsoever, which they or any of them may receive from the said Parish, or otherwise in such Shares and Proportions, and to such poor Families at such Time or Times, and in such Manner as the said Trustees or the major Part of them shall think proper.

Allotment to the Poor for Furze.

XIII. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and required, to set out and allot unto and for the said Dean and Chapter, and their Successors, and the said Earl of *Guilford* their Lessee, for and in lieu of their Improprate Tythes yearly issuing, arising, or renewing out of such Parts of the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, hereby directed to be divided, allotted, and inclosed, as are subject and liable thereto, and for and in lieu of the Tythes of all such Messuages, Tenements, Gardens, Orchards, and inclosed Meadows and Pastures, and other ancient Inclosures held in Severalty within the said Parish, as are subject and liable thereto, such Plots or Allotments of the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, as shall contain or be equal in Value to One-fifth Part of all the Arable Lands, and One-ninth Part of all Meadow, Pasture, or Greensward Grounds, in the said Parish (after deducting the Land or Ground set out for Roads, and the Allotment herein-before directed to be set out for publick Chalk, Gravel, and Rubble Pits, and for Stone Quarries as aforesaid), which said Plot or Plots, Allotment or Allotments, shall be in full Satisfaction and Discharge of and for the said Improprate Tythes issuing, arising, and renewing from and out of the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, and out of the said Messuages, Tenements, Orchards, Gardens, and inclosed Meadows and Pastures, and ancient Inclosures held in Severalty in the said Parish, for which Lands shall be so allotted as aforesaid.

Allotment to the Dean and Chapter for Improprate Tythes.

XIV. Provided

Rents to be settled in lieu of Tythes of old Inclosures, where the Owners have not Land in the Common Field sufficient to discharge the same.

XIV. Provided always, and be it further enacted, That in case any of the Owners or Proprietors of any such Messuages, Tenements, Gardens, Orchards, or ancient Inclosures within the said Parish, shall not be entitled to Lands, or Common Right, in the said Lands by this Act intended to be divided, allotted, and inclosed, sufficient to make such Compensation for the Tythes thereof as aforesaid, then and in every such Case Compensation shall be made for such Deficiency, by and out of the Property in the said Lands hereby intended to be divided, allotted, and inclosed, belonging to the said several other Proprietors, in such Manner as the said Commissioners shall appoint, and such Person or Persons who shall be entitled to or possessed of any such Messuages, Tenements, Gardens, Orchards, or ancient Inclosures, shall pay or cause to be paid to such Person or Persons, and at such Time or Times as the said Commissioners shall direct or appoint, such Sum or Sums of Money as they the said Commissioners shall think equivalent to, and a full Satisfaction and Compensation for the Tythes of the said Messuages, Tenements, Gardens, Orchards, or ancient Inclosures, which Sum and Sums of Money shall be applied towards Payment of the Costs, Charges, and Expences of obtaining and passing this Act, and carrying the same into Execution, and shall and may be levied and recovered in like Manner as the Costs, Charges, and Expences, of obtaining and passing this Act, and carrying the same into Execution, can or may be levied or recovered.

The Claim to the Tythes of the Thirty Yard Lands to be tried by an Issue at Law.

XV. And whereas it is proper that the Question respecting the Claim of the said President, Fellows, and Scholars to the said Tythes of the said Thirty Yard Lands should be speedily terminated, be it therefore further enacted, That the said President, Fellows, and Scholars, shall and they are hereby required to proceed to try such their Claim to the Tythes of the said Thirty Yard Lands, at either of the Two following Assizes which shall happen next after the passing of this Act, and for that Purpose the said President, Fellows, and Scholars, shall cause an Action to be brought on a feigned Issue, against the said Dean and Chapter, and the said Dean and Chapter shall and they 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 may be properly tried and determined (such Issue or Issues to be settled by the proper Officer of the Court in which the said Action shall be commenced, in case the Parties shall differ about the same), and that after such Trial the said Commissioners shall and they are hereby authorized and required to act in Conformity to the Verdict thereupon given; and in case no such Trial at Law shall be proceeded upon within the Time aforesaid, then the said Commissioners shall proceed to set out the Allotment or Allotments in lieu of the Tythes of the said Thirty Yard Lands to the said Dean and Chapter.

The Thirty Yard Lands to be allotted to Trinity College Tythe free, if they can establish their Claim, and Notice given to the Commissioners previous to the Trial.

XVI. Provided always, and be it further enacted, That in case the said Dean and Chapter shall signify by Writing under their Common Seal to the said Commissioners, at any Time previous to the said Trial at Law as herein-before last mentioned, that the said President, Fellows, and Scholars have fully established to the Satisfaction of the said Dean and Chapter their Claim to the Tythes of the said Thirty Yard Lands, then and in such Case it shall be lawful for the said Commissioners to set out
and

and allot the said Thirty Yard Lands as Tythe-free to the said President, Fellows, and Scholars.

XVII. And be it further enacted, That, from and immediately after the confirming of the Allotments aforesaid, all the said Improprate Tythes arising or renewing, or due and payable to the Owners thereof, as well out of the ancient Messuages, Tenements, Gardens, Orchards, or Inclosures, within the said Parish, as the Lands to be divided, allotted, and inclosed by virtue of this Act, shall cease and be for ever extinguished. Present Tythes to cease.

XVIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, to assign, allot, and appoint unto and for the said President, Fellows, and Scholars, Lords of the Manor of *Wroxton* with *Balscot* aforesaid, such Parcel and Quantity of Ground lying and being within the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, as by the Commissioners making such Allotment shall be considered, deemed, and adjudged to be a fair Equivalent and Compensation for their Right to the Soil of the Waste or other Ground within the said Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands belonging to them, as Lords of the said Manor. Allotment to the President, Fellows and Scholars, as Lords of the Manors of *Wroxton*, in lieu of their Right to the Soil.

XIX. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, to set out, divide, and allot all the Residue and Remainder of the Lands and Grounds hereby intended to be divided, allotted, and inclosed, unto and amongst the several Proprietors thereof, and Persons interested therein, in Proportion and according to their several and respective Lands, Grounds, Rights of Common, and other Rights and Interests, in, to, and over the same. Allotments of the Residue.

XX. And be it further enacted, That the several Lands which shall be assigned, set out, appointed, and allotted unto and for the several Persons who by virtue of this Act shall be entitled to the same, shall be in full bar of and Satisfaction and Compensation for their several and respective Lands, Tythes, Rights of Common, and other Rights and Property whatsoever, which they respectively had or were entitled to, in and over the said Lands and Grounds hereby intended to be divided, allotted, and inclosed as aforesaid, immediately before the passing of this Act; and that from and immediately after making the said Division and Allotments, and the Execution of the said Award or Instrument, or from and after such other previous Time as the said Commissioners shall by Writing under their Hands, to be affixed on the principal outer Door of the Parish Church of *Wroxton* aforesaid, direct or appoint, all Right of Common whatsoever belonging to or claimed by any Person or Persons whomsoever, Bodies Politick or Corporate, in, over, or upon the Lands and Grounds hereby intended to be divided, allotted, and inclosed, shall cease, determine, and be for ever extinguished. Allotments to be in bar of former Estates, and Rights of Common to be extinguished.

XXI. And be it further enacted, That, from and immediately after the Feast of *Saint Michael* the Archangel next ensuing the passing of this Act, all Leases, Demises, or other Agreements at Rack or extended Leases at Rack Rent to be vacated.

[Loc. & Per.]

32 F

Rent

Rent subsisting, of all or any of the Lands and Grounds by this Act intended to be divided, allotted, and inclosed, and of all or any of the Common Rights upon or Tythes issuing out of or coming from the said Lands and Grounds, or any of them, alone, or with any Homestead or Homesteads, old Inclosures, or other Lands, Tythes, Commons, or Hereditaments, shall cease and be void as to all the Premises comprized in such Leases, Demises, and Agreements respectively, and the respective Lessees or Tenants, and their Assigns, claiming under or by virtue of such Leases, Demises, or Agreements, shall have and receive of their respective Lessors or Landlords such Satisfaction as the said Commissioners shall ascertain as reasonable to be paid or allowed to such Lessees or Tenants respectively, or to their respective Assigns in that Behalf; and such Lessees or Tenants, or their or any of their Assigns, shall not after the passing of this Act commit any Waste, Spoil, or Destruction upon or to their respective Lands or Premises, but shall conform so far as may be to the Terms and Conditions of their respective Leases, Demises, and Agreements, with respect to leaving their Straw, Dung, and Manure in their Yards or elsewhere, on the Determination of their said Leases, Demises, and Agreements respectively, for the Benefit of their said Lessors or Landlords, and the said Lessors or Landlords shall respectively be entitled to such Rent or Rents, and Privileges, up to the Time of vacating such Leases, Demises, or Agreements respectively, and to such Compensations for any such Waste, Spoil, or Destruction as aforesaid, or for any such Straw, Dung, or Manure as aforesaid, which shall be carried off contrary to the Directions aforesaid, as the said Commissioners shall appoint to be paid or given to them by such Lessees or Tenants respectively, or their respective Assigns: Provided always, that if there shall be any Lease or Leases of Lands, Part of which shall lie in *Wroxton* aforesaid, and Part in any adjoining Township or Parish, all and every such Lease or Leases upon Rack Rent now subsisting, may and shall be vacated; but where any Land shall have been taken in Exchange, which Land shall be under Lease, and wholly situate in an adjoining Township or Parish, the Lease of such last mentioned Land shall not be vacated.

Recompence
to be made
for Lands
planted or
fallowed.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby empowered, by Writing or Writings under their Hands, to ascertain and order what Recompence in Money shall be paid, and by whom, to any Occupier or Occupiers of any of the Atable Lands by this Act intended to be divided, allotted, and inclosed, which shall be left planted with Clover, or other Grass Seeds, or shall, during the Summer of the Year One thousand eight hundred and three, have lain fallow, or have been folded or dunged for the Profit and Advantage which any Person or Personsto whom the said Lands so planted, fallowed, folded, or dunged, shall be allotted, will obtain thereby; and if such Recompence shall not be paid at the Time appointed by the said Commissioners, then the said Commissioners may and shall, by Warrant or Warrants under their Hands, cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons required to make such Recompence as aforesaid, together with the Costs and Charges of every such Distress and Sale, rendering the Oveplus (if any) upon Demand, to the Owners of such Goods and Chattels.

XXIII. And

XXIII. And be it further enacted, That in the mean Time and until such Division and Allotment shall be made as aforesaid, all the Pasture, Tillage, and other Lands hereby intended to be divided, allotted, and inclosed, shall be stocked with such Cattle, and sown by the respective Owners or Occupiers thereof with such Sorts of Corn, Grain, Grass, and other Seeds, and shall be kept, ordered, and continued in such Course of Management, Tilth, and Husbandry, as the said Commissioners shall by any Writing or Writings under their Hands in that Behalf, order, direct, and appoint, any Usage of Custom of stocking, tilling, or sowing, to the contrary notwithstanding; and if any Person or Persons shall till, sow, or manage any of the said Tillage Lands contrary to the Order of the said Commissioners, he, she, or they, shall forfeit and pay any Sum not exceeding Twenty Pounds nor less than Five Pounds an Acre for every Acre so tilled, sown, or managed, and so in Proportion for a less Quantity than an Acre thereof, to be recovered by any Person or Persons who will inform and prosecute for the same, in Manner prescribed by the said recited Act, touching the Recovery of Penalties and Forfeitures, together with reasonable Costs; and that no Meadows, Pastures, or fresh Grounds, Part of the Lands and Grounds hereby intended to be divided, allotted, and inclosed, and not now in Tillage, shall, before such Division and Allotment is made, be broken up or converted into Tillage or Garden Ground; and it shall be lawful for the said Commissioners at any Time hereafter, when and as often as they in their Judgement shall think fit, by Notice for that Purpose under their Hands to be affixed on the principal outer Door of the Parish Church of *Wroxton* aforesaid, to suspend or totally extinguish all or any Part of the Rights of Common over the Lands and Grounds hereby intended to be divided, allotted, and inclosed; and from and after such Notice given, all such Rights of Common over the said Lands and Grounds as by such Notice shall be directed or declared to be suspended or extinguished, shall cease, and be suspended for such Time, or extinguished in such Manner as the said Commissioners shall in and by such Notice direct; and if after such Suspension or Extinguishment of any such Rights of Common, any of the said Owners or Occupiers shall turn or permit his, her, or their Cattle or Sheep to depasture or feed on any of the Lands and Grounds so discharged and freed from Right of Common, then and as often as the Case shall so happen it shall be lawful for any other of the said Owners or Occupiers to distrain all or any such Cattle or Sheep being in or upon any such Lands or Grounds contrary to such Notice, and to impound and keep the same impounded until the Person or Persons so offending shall pay the Person or Persons so distraining a Sum not exceeding One Shilling for each Head of Cattle or Sheep so distrained; and in case the same, together with all Costs and Charges, shall not be paid before the next Meeting of the said Commissioners after such impounding, the said Commissioners shall and they are hereby authorized and empowered, upon Proof of such Offence or Offences having been committed, and Non-payment of the Penalty or Penalties incurred, to cause the Cattle or Sheep so distrained, or such of them as they shall think necessary, to be sold for raising and paying the Penalty or Penalties so incurred as aforesaid, together with the Costs and Charges attending every such Distress and Sale, rendering the Overplus (if any) upon Demand, to the Owner or Owners of such Cattle or Sheep.

Commissioners to direct the Course of Husbandry.

XXIV. And

Lands to
enure to same
Uses.

XXIV. And be it further enacted, That the several Lands and Grounds so to be allotted and awarded upon the said Division and Inclosure of the several Parties concerned, and the several Messuages, Lands, Tenements, old Inclosures, new Allotments, and other Hereditaments, which shall be exchanged in pursuance of this or the said recited Act, shall immediately after such Allotments and Exchanges as are made aforesaid, be, remain, and enure, and the several Persons to whom the same shall be respectively allotted or given in Exchange as aforesaid, shall from thenceforth stand and be seised or possessed thereof to such and the same Uses, Estates, Trusts, and Purposes, and subject to such and the same Wills, Settlements, Limitations, Powers, Remainders, Leases (except Leases at Rack Rent), Charges, Tenures, Rents, Services, and Incumbrances, as the several and respective Messuages, Lands, Tenements, old Inclosures, new Allotments, or other Hereditaments (in lieu or in respect whereof such Allotments or exchanged Premises shall be respectively made or taken as aforesaid) are now held under or subject to, or liable to be charged with or affected by, or might or would have been held under or subject to, or liable to have been charged with or affected by, in case this Act had not been made.

Directing the
Allotment
for Stone and
Gravel Pits,
and the Tythe
Allotments to
be fenced.

XXV. And be it further enacted, That the Piece or Pieces of Ground which shall or may be set out for Stone or Gravel Pits, and the Allotment or Allotments to be made and set out to and for the said Dean and Chapter as Impropiators, and the said Earl of *Guilford* as their Lessee, shall be inclosed round with Quickset Hedges and Ditches, and substantial Posts and Rails on each Side thereof, or other proper Mounds or Fences, with good and substantial Gates and Stiles in the said Fences where necessary, and the same shall be supported and maintained for the Term of Seven Years by or at the Expence of all the Proprietors to whom the other Allotments of the said Lands and Grounds shall be set out or allotted, in such Manner and in such Shares and Proportions, as the said Commissioners shall, by any Writing under their Hands, or by their said Award or Instrument hereby directed to be made, order and direct; and the same shall be afterwards maintained and kept in Repair by the said Dean and Chapter, or their Lessee for the Time being.

Gaps to be
left in the
Fences for
a limited
Time.

XXVI. Provided always, That convenient Gaps and Openings shall be left in the Fences to be made by virtue of this Act, for the Space of Twelve Calendar Months next ensuing the Execution of the said Award, for the Passage of Carts, Cattle, and Carriages in and through the same, unless the said Commissioners shall by their Award or other Instrument in Writing under their Hands, order that the same shall be sooner fenced in and made up.

Proprietors to
have Power to
fence as soon
as the Allot-
ments are set
out.

XXVII. And be it further enacted, That, after the said Allotments shall be set out by the said Commissioners, and before the Execution of their Award. it shall be lawful for the said Proprietors, or any of them, by and with the Consent of the said Commissioners, under their Hands, to ditch and fence out their respective Allotments in such Manner as the said Commissioners shall think proper; and in case any such Ditches or Fences shall be wilfully damaged or destroyed, the Person or Persons committing the Fact shall be deemed a Trespasser or Trespassers, and shall be liable

liable to answer Damages to the Owners thereof respectively, in like Manner as Damages are recovered or recoverable in Actions of Trespass by the Laws now in being, although the said Award be not executed at the Time of committing such Trespass or Trespases.

XXVIII. And be it further enacted, That it shall be lawful for the Owners and Proprietors of the Allotments to be made in pursuance of this Act, or any Person or Persons employed by them at any seasonable and convenient Time or Times in the Year, within the Space of Seven Years next after the Execution of the said Award, to set up, make, repair, support, and continue Posts, Rails, or other dead Fences, and to make Trenches on the Outside of the Ditches bounding their respective Allotments, not exceeding Three Feet from such Ditches, for the Preservation of their Quicksets or other Hedges, and at any seasonable Time within the said Term of Seven Years, to take and carry away the Materials thereof; and that it shall not be lawful for any Person or Persons, for the Space of Four Years, to keep or depasture any Sheep or Lambs in or upon any of the Allotments to be made by virtue of this Act, unless the Person or Persons keeping such Sheep or Lambs shall, at his, her, or their own Expence, effectually and sufficiently fence off or guard, and duly keep fenced off the Quickset Hedges or other live Fences of the Proprietor or Proprietors whose Allotment or Allotments may adjoin to the Inclosures, where such Sheep or Lambs shall be so kept, so as to prevent any Damage being done to such Quickset Hedges.

Power to erect dead Fences for preserving Quicksets, and Fences to be made against Lanes.

No Sheep or Lambs to be kept on new Allotments for 4 Years, unless guarded, &c.

XXIX. Provided always, That in case any such Hedges or Fences shall be assigned or appointed by the said Commissioners as and for a Boundary Fence, or as and for a Subdivision Fence; to or for any of the new Allotments so intended to be made as aforesaid, all such Hedges and Fences shall be left for the Benefit of such Person or Persons to whom such new Allotments shall belong, he, she, or they making such Allowances to the former Owners or Proprietors of such Hedges and Fences respectively, as the said Commissioners shall by Writing under their Hands in that Behalf direct.

Hedges left for Boundary and Sub-division Fences, to be paid for.

XXX. And be it further enacted, That when any Parcel of Land so to be allotted as aforesaid, shall abut upon or adjoin to any Freeboard or Ditch belonging to any Common Fields or inclosed Grounds next adjoining to the Lands and Grounds hereby intended to be divided, allotted, and inclosed, the Person or Persons to whom such Parcel of Land shall be allotted shall and may, and is and are hereby empowered to set up and erect Gates, or any other Kind of Fence or Fences, in, over, and upon such Freeboard or Ditch, for dividing the said Parcels of Land, and raising and preserving the Quicksets, Banks, and other the Fences to be raised thereupon, until such Time as the Owners of such Freeboard or Ditch shall sufficiently, and at his, her, or their own Expence, have ditched, fenced, and mounded out the same Freeboard or Ditch from the Land adjoining thereto.

Fencing across Freeboards.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to compel or oblige any of the said Proprietors, whose Allotments or Shares shall upon the said intended Division, Allotment, and Inclosure, lie and be situated next and adjoining to any Common Fields or inclosed Grounds, the

Proprietors not obliged to fence against old Inclosures,

Boundary of which is already fenced by any Mound, Fence, Brook, or Rivulet, to make or erect any Hedges, Ditches, or Fences next adjoining to any such Common Fields or inclosed Grounds, for inclosing such their Allotments or Shares, but that the ancient Mound or Fence, Brook, or Rivulet, or other sufficient Fences which divide such Common Fields or inclosed Grounds from such Allotments, shall for ever be and remain a Boundary Fence for the Purpose of such Division, and shall from Time to Time be maintained, kept, cleansed, scoured, and repaired by the said respective Proprietors thereof, in the same Manner as before the passing of this Act, or in such other Manner as the said Commissioners shall order and direct; any Thing herein contained to the contrary notwithstanding.

Allowance to Proprietors having more than a due Proportion of Fencing.

XXXII. And be it further enacted, That in case it shall happen that some of the Proprietors shall have a greater Proportion of Fences to make and maintain upon any of the Lands hereby directed to be divided, allotted, and inclosed, than in the Judgement of the said Commissioners such Proprietors of Allotments ought to be charged with (having due Regard to the necessary interior Fences), it shall be lawful for the said Commissioners, where they shall judge it proper, to ascertain and appoint such Sum or Sums of Money to be paid to every such Proprietor towards making and maintaining such Fences, by such other of the said Proprietors who may have a less Proportion of Fencing, according to the Value and Quantity of the Lands to be allotted in them, as they the said Commissioners shall think reasonable, in order that the said Fences may be brought as near as may be to a just and equal Proportion to be settled by them the said Commissioners.

Power to turn Watercourses.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to direct, order, and award all or any of the Streams, Springs, and Watercourses within the said Parish, to be conveyed and turned in such Courses, and through such Part or Parts of the Lands and Grounds hereby intended to be divided, allotted, and inclosed, as they shall think most beneficial and convenient for watering the new Allotments which shall be made in pursuance hereof; provided that such Streams, Springs, and Watercourses, be not diverted or turned without the Consent in Writing of the Proprietor or Proprietors into whose Lands and Grounds such Streams, Springs, and Watercourses, shall be so diverted or turned, or into whose Lands and Grounds the same shall be carried.

For enabling Trinity and Brazen Nose Colleges to grant new Leases to their Lessees.

XXXIV. And whereas it hath been proposed and agreed between the said President, Fellows, and Scholars, and their Lessees and Copyholders, and the said Principal and Scholars, and their Lessees, that the said Lessees and Copyholders shall pay and defray all the Costs, Charges, and Expences of obtaining, passing, and carrying this Act into Execution, so far as the same relate to the Estates of the said President, Fellows, and Scholars, and the said Principal and Scholars, and their Lessees, in Consideration whereof the said President, Fellows, and Scholars, and the said Principal and Scholars, or their Successors, shall and may grant new Leases and Copies of their said Leasehold and Copyhold Estates, for fresh Terms and Lives, in Manner herein-after mentioned; but the said President, Fellows, and Scholars, and the said Principal and Scholars, are

are restrained from granting any larger Estate or Estates in the said respective Premises than for the Term of Twenty-one Years, and cannot enter into any Agreement to bind themselves, or their Successors, to renew the said respective Leases at the usual and accustomed Time, of renewing the same, or for any certain Sum of Money, or to fill up the said Copyhold Estates, without the Aid and Authority of Parliament; be it therefore enacted, That it shall be lawful for the said President, Fellows, and Scholars, and the said Principal and Scholars, and their Successors, and their said Lessees and Copyholders, their Heirs, Executors, Administrators, and Assigns respectively, and they are hereby required at *Michaelmas* next after the passing of this Act, to cancel and make void all such Leases, and at the same Time to grant and take new Leases of the said respective Estates and Premises, for new Terms of Twenty-one Years; commencing at *Michaelmas Day* next after the passing of this Act, receiving and paying for such new Lease respectively Fines in Proportion to the Number of Years then elapsed in each of the former Terms cancelled and made void; (that is to say), for all such new Leases wherein Seven Years of the former Terms shall have then respectively elapsed, a Fine for each and every such Renewal of One Year and a Half Rent of each respective Estate according to the present Value thereof, such Value to be estimated and ascertained by the said Commissioners, over and above the Fees for such Leases, and under the old Rents and Covenants in such Leases reserved and contained, and also for all such new Leases, wherein more or less than Seven Years of the former Terms respectively shall have then elapsed; Fines, after the same Rate according to the Time so elapsed therein respectively, as are now to be paid by the said Lessees on the Expiration of the first Seven Years of their said Leases; and at the End of the first Seven Years of such new respective Terms, to grant and take a fresh Term of Twenty-one Years, to commence from the End of the said first Seven Years of the said respective Lands and Premises, under and subject to the old Rents and Covenants by which the said respective Premises were holden, on being paid by the said several Lessees, their Executors, Administrators, or Assigns respectively, as a Fine for each and every such Renewal, One Year and a Half Rent of each respective Estate, according to the Value thereof, to be estimated and ascertained by the said Commissioners as aforesaid, over and above the Fees for such new Leases; and such Leases so to be made and granted by the said President, Fellows, and Scholars, and by the said Principal and Scholars, and their Successors respectively, shall be binding to and upon the said President, Fellows, and Scholars, and the said Principal and Scholars, and their Successors respectively, and shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever; any Law, Statute, or Usage to the contrary notwithstanding; and also that it shall be lawful for the said President, Fellows, and Scholars, and their Successors, and they are hereby required on the Tenth Day of *October* next after the passing of this Act, to fill up all such of the Copies of the Estates held of the said Manor in which any of the present Life or Lives named in the said Copies, or either of them, shall be then dead, on the Terms following; (that is to say), in case of the Death of One such Life within the Time aforesaid, shall and will add a new Life in his or her room, on being paid for each and every new Grant, Two Years Rent of each respective Estate, according to the present Value thereof; and in case of the Death of Two such Lives within the Time aforesaid, shall and will add Two new Lives in their room and stead, on being paid for each and every

every new Grant, Seven Years Rent of each respective Estate, according to the present Value thereof; and in case of the Death of all the Lives named in the said Copies, or either of them, within the Time aforesaid, shall and will make a new Grant for Three Lives, on being paid for the same Fifteen Years Rent of each respective Estate, according to the present Value thereof; and in case of the Death of any One Life already named, or to be named as aforesaid, within the Term of Fourteen Years from the said Tenth Day of *October* next, shall and will add another Life in his or her room and stead, on being paid for each and every such new Grant, Two Years Rent of each respective Estate, according to the present Value thereof, such Value to be estimated and ascertained by the said Commissioners, over and above the Stamps and Fees for such new Grants, and under the old Rents, Heriots, Duties, Customs, and Services theretofore due, and of Right accustomed; and that such new Grants so to be made by the said President, Fellows, and Scholars, and their Successors as aforesaid, shall be binding to and upon them, and shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever; any Law, Statute, or Usage to the contrary notwithstanding.

XXXV. Provided always, That the said President, Fellows, and Scholars, shall not be obliged or compellable in case of the Death of any One Life as aforesaid within the Term of Fourteen Years from the said Tenth Day of *October* next, to add such other Life in his, her, or their room, unless Application be made, and the Fine and Fines paid at or before the next General Court to be holden by the said President, Fellows, and Scholars in and for the said Manor of *Wroxton with Balscot*, after the Death of any One Life named in any of the said Copies.

XXXVI. And be it further enacted, That the several and respective Lessee and Lessees of the said President, Fellows, and Scholars, and the said Principal and Scholars, and also the said Copyholders, in Consideration of such Renewals and new Grants as aforesaid, shall and are hereby required to bear, pay, and discharge all the Costs, Charges, and Expences, which shall be incurred in obtaining, passing, and executing this Act, which shall be payable in respect of the Lands and Grounds, Right of Common, and other Hereditaments belonging to the said President, Fellows, and Scholars, and the said Principal and Scholars, and now held by the said Lessees and Copyholders respectively; and also to make and erect all such Fences, and at such Times, and in such Manner as shall be directed by the said Commissioners, as well for subdividing as dividing and inclosing all such Lands and Grounds, as shall be allotted to the said President, Fellows, and Scholars, and Principal and Scholars, or their said Lessees and Copyholders respectively.

XXXVII. And be it further enacted, That the Award to be made by the said Commissioners, when enrolled in Manner directed by the said recited Act, shall be deposited in the Parish Church of *Wroxton* aforesaid, or in such other Place as the said Commissioners shall in and by such Award direct or appoint.

XXXVIII. And be it further enacted, That if any of the said Proprietors, or any other Person, shall advance any Money for the Purpose of defraying the Expences of obtaining and passing this Act, or for carrying

Expences of the said President, Fellows, and Scholars, and the said Principal and Scholars, to be paid by their Lessees and Copyholders.

Directing where the Award shall be deposited.

Persons advancing Money, to be repaid with Interest.

tying the same into Execution, every such Proprietor and other Person shall be repaid the same, with Interest at the Rate of Five Pounds *per Centum per Annum*, out of the first Monies that shall be raised for defraying such Expences by virtue of this Act.

XXXIX. And be it further enacted, That the Expences attending every Exchange or Partition of the Lands and Grounds by this Act intended to be divided, allotted, and inclosed, which shall be made by virtue of this or the said recited Act, shall be borne, paid, and defrayed by the respective Parties making such Exchanges or Partitions, distinct and apart from the other Expences attending the Execution of this Act, in such Manner as the said Commissioners shall order and direct.

Expences of making Exchanges, &c. by whom to be paid.

XL. And be it further enacted, That if any Person or Persons interested in any Allotment or Compensation to be made, or Exchange to take place, pursuant to this or the said recited Act, shall die before the same is perfected, the Powers and Authorities contained in either of the said Acts shall not be determined or suspended, but the Share or Shares in the Premises of the Person or Persons so dying, shall be allotted or assigned to or for the Use of the Person or Persons who by Descent, Will, or otherwise, would have been entitled to the same, in case such Allotment, Compensation, or Exchange had been completed previous to the Death of such Person or Persons; and the Person or Persons to whom such Share or Shares shall be so allotted or assigned shall be liable to the Charges, Expences, Conditions, and Contingencies of this Act, and it shall be lawful for the said Commissioners to execute all the Powers and Authorities hereby given, in such Manner as they might have done if no such Death had happened.

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

XLI. And be it further enacted, That Once at least in each and every Year during the Execution of this Act (such Year to be computed from the Day of the passing thereof) the said Commissioners shall and they are hereby required to make a true and just Statement or Account of all Sum or Sums of Money by them received and expended, or due to them for their own 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 them laid before any Two or more of His Majesty's Justices of the Peace for the said County of *Oxford*, to be by them examined and balanced, and such Balance shall be by them stated in the Book of Accounts to be kept in the Office of the Clerk to the said Commissioners; and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by such Justices.

Commissioners to lay their Account before Two Justices, Once in every Year.

XLII. And be it further enacted, That if any Person or Persons shall think him, her, or themselves, or any Parish, Township, or Precinct, aggrieved by the setting out and appointing of any of the publick Carriage Roads, private Carriage Roads, Bridle Ways, or Footways, or of any Part thereof, in pursuance of this or the said recited Act (other than and except as to such Claims, Matters, and Things as are herein-before directed or authorized to be tried, settled, or determined by the Verdict of a Jury, or where any of the Clauses or Provisions of the said recited Act or this Act shall express that the same shall be final and conclusive), then

Appeal to General Quarter Sessions.

[*Loc. & Per.*]

32 H

and

and in every such Case he, she, or they, may appeal to any General Quarter Sessions of the Peace to be holden for the said County of *Oxford*, within Six Calendar Months next after the Cause of Complaint shall have arisen, such Person or Persons giving Fourteen Days previous Notice to the said Commissioners of his, her, or their Intention to appeal; and the Justices in such General Quarter Sessions are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order 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 said Justices shall be final and conclusive to and upon 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.

General
Saving of
Rights.

XLIII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, his, her, and their Heirs, Successors, Executors, and Administrators, (except the several Persons to whom any Allotment or Allotments shall be made in pursuance of this Act, for and in respect of such Rights and Interests as are hereby meant and intended to be barred, destroyed, and extinguished, and all Persons respectively claiming under them, or in Reversion or Remainder after them), all such Right, Title, and Interest, as they, every, or any of them could or ought to have had and enjoyed, in or out of the said Lands and Grounds hereby directed to be divided, allotted, and inclosed, in case this Act had not been made.

Declaring the
Act Pubick.

XLIV. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and when so printed, may be given in Evidence in all Courts of Justice, and before all Judges and Justices whomsoever, who shall take judicial Notice thereof, in like Manner as if the same had been declared to be a publick Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1803.