



ANNO QUADRAGESIMO SEXTO

# GEORGII III. REGIS.

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## Cap. 78.

An Act for allotting Lands in the Parishes of *Sparham* and *Billingford*, in the County of *Norfolk*.  
[20th June 1806.]

**W**HEREAS there are within the Parishes of *Sparham* and *Billingford*, in the County of *Norfolk*, divers Arable, Pasture, and Meadow Lands, Heaths, Commons, Commonable Lands, and Waste Grounds: And whereas *Thomas William Coke* Esquire, is Lord of the several Manors of *Sparham Mautbies*, *Sparham Stewkball*, *Beestons* and *Folkards*, *Billingford*, and *Beck* otherwise *Beckhall*, in the said County; and *Sir John Lombe* Baronet, is Lord of the several Manors of *Lyng*, *Bylaugh* with the Members, *Bawdeswell* late *Beales*, *Foxley* with *Bawdeswell* and *Billingford Waffins*, in the said County; and the said *Thomas William Coke* and *Sir John Lombe*, respectively, claim to be entitled to the Soil of the Heaths, Commons, and Waste Grounds in the said Parishes of *Sparham* and *Billingford*: And whereas the said *Sir John Lombe* is also seised of or entitled to the perpetual Advowson, Right of Patronage, and Presentation, of, in, and to the Rectory and Parish Church of *Sparham* aforesaid; and the Reverend *James Stoughton* Clerk, is the present Incumbent on the said Rectory, and in that Capacity is Lord of the Manor of *Sparham* Rectory, and claims to be entitled to the Soil of the said Heaths, Commons, and Waste Grounds in *Sparham*, or to some Part thereof: And whereas the said *Thomas William Coke* is seised of or entitled to the perpetual Advowson, Right of Patronage, and Presentation, of, in, and to the Rectory and Parish Church of *Billingford* aforesaid; and the Reverend *Henry Carrington* Clerk, is the present

[Loc. & Per.] 18 R



present Incumbent on the said Rectory: And whereas the said *Thomas William Coke*, Sir *John Lombe*, and several other Persons respectively, are Owners and Proprietors of all the Messuages, Cottages, Lands, Grounds, and Tenements, within the said Parishes of *Sparham* and *Billingford*, and the Precincts 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 said Heaths, Commons, and Waste Grounds, and also some Parts of the said Arable, Meadow, and Pasture Lands, are subject to certain Rights of Sheepwalk, Common, or Shackage, and other Commonable Rights, and divers Parcels of the said Arable, Pasture, and Meadow Lands, are intermixed and inconveniently situated for the respective Owners and Occupiers thereof; and the said Heaths, Commons, and Waste Grounds yield but little Profit, and are, in their present State, incapable of any considerable Improvement; and it would be very beneficial to the several Persons having such Rights and Interests as aforesaid, if the same were extinguished, upon a proper Compensation being made for the same, and if the said Arable, Pasture, and Meadow Lands, Heaths, Commons, Commonable Lands, and Waste Grounds were divided, and specific Parts or Shares thereof allotted to the several Persons interested, according to their respective Parts, Shares, Estates, Rights, and Interests therein, under the Limitations in the said recited Act, and hereinafter contained: But such Extinguishment, Division, and Allotments cannot be effectually made and established without the Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *William Unthank*, of *Heigham* in the County of the City of *Norwich*, *John Dugmore*, of *Swaffham* in the County of *Norfolk*, and *William Mitchell*, of *Wymondham*, in the said County of *Norfolk*, Gentlemen, and their Successors, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Commissioners for dividing and allotting the said Arable, Pasture, and Meadow Lands, Heaths, Commons, Commonable Lands and Waste Grounds, and for carrying this Act into Execution, subject to such Powers, Authorities, Directions, Regulations, Restrictions, and Provisions contained in the said recited Act, as are not altered, varied, or otherwise provided for by this Act; and that all Acts, Matters, and Things authorized or necessary to be done and executed by the said Commissioners in pursuance of this Act and the said recited Act, may be done and executed by any Two of them, and the same shall be as valid and effectual, and shall have the same Force and Effect, as if such Acts, Matters, and Things had been done and executed by all the Commissioners herein-before named or to be appointed as hereinafter mentioned.

Commissioners appointed.

For appointing new Commissioners.

II. And be it further enacted, That if any of the Commissioners herein-before named or to be appointed as hereinafter mentioned shall die, or refuse to act, or shall become incapable of acting as a Commissioner or Commissioners in the Execution of this Act and the said recited Act before all the Powers, Authorities, and Trusts thereby vested in them shall be fully executed and performed, it shall and may be lawful for the remaining



or surviving Commissioners or Commissioner, and they or he are and is hereby required, within Thirty Days next after their or his Knowledge of such Death, Refusal, or Incapacity to act, by Writing under their or his Hands or Hand, to appoint any other Person or Persons (not being interested in the Premises) to be a Commissioner or Commissioners for the Purposes of this and the said recited Act, in the Place and Stead of such Commissioner or Commissioners so dying or refusing to act, or becoming incapable of acting as aforesaid; and every Person so to be appointed a Commissioner as aforesaid, shall take and subscribe the Oath or Affirmation prescribed in the said recited Act, and shall thereupon have such and the like Powers and Authorities, in all Respects, for putting this and the said recited Act into Execution, as if he had been named and appointed a Commissioner in and by this Act.

III. And be it further enacted, That the said Commissioners shall and they are hereby required to cause Notice of the Time and Place of their first and every other Meeting for the Execution of this Act, to be inserted in the *Norfolk Chronicle* or *Norwich Mercury*, or in some other Newspaper printed or circulated within the said County of *Norfolk*, Eight Days at least before every such Meeting (Meetings by Adjournment only excepted); and if only one of the said Commissioners shall be present at the Time and Place appointed for any such Meeting, then and in such Case and so often as the same shall happen, it shall be lawful for such Commissioner to adjourn such Meeting to such Time and Place, within the said Parishes of *Sparham* and *Billingford*, or either of them, or within Eight Miles thereof, as he shall think most convenient, giving Notice of such Adjournment to the absent Commissioners.

Notice of  
Commission-  
ers Meetings

IV. Provided always, and be it further enacted, That all other Notices necessary or requisite to be given by the said Commissioners in pursuance of the said recited Act or of this Act, shall be so given by Advertisement to be inserted in the said *Norfolk Chronicle* or *Norwich Mercury*, or in some other Newspaper printed or circulated in the said County of *Norfolk*.

Other Noti-  
ces how to be  
given.

V. And whereas it may shorten the Boundary Fences between the Lands in the said respective Parishes of *Sparham* and *Billingford*, and the Lands in any adjoining Parish or Parishes, if the said Commissioners were empowered to cause such Fences to be raised in such Direction as they shall deem most proper and convenient, for shortening and making the same regular; be it therefore further enacted, That it shall and may be lawful for the said Commissioners, with the Consent in Writing under the Hand or Hands of the Lord or Lords of the Manor or Manors, and of the Hands of the major Part in Value of the Land Owners in any Parish or Parishes adjoining to the said respective Parishes of *Sparham* and *Billingford* (such Value to be ascertained by the Rates or Assessments made for the Relief of the Poor of such Parish or Parishes respectively) or under the Hand or Hands of the Owner or Owners of the Lands upon which such Fence or Fences shall or may be intended to be made, to set out, ascertain, and determine the Boundary Fences to be made between the Lands hereby directed to be divided and allotted, and the Lands lying in such adjoining Parish or Parishes as they shall judge proper for the Purposes aforesaid; and after such Boundaries shall be so set out, ascertained, and determined, the same shall be inclosed and fenced by such Person or Persons,

For shorten-  
ing Bounda-  
ry Fences.



Persons, in such Manner, and at such Time or Times as the said Commissioners shall direct, and shall for ever thereafter be deemed and taken to be the Boundaries between the said respective Parishes of *Sparham* and *Billingford*, and such adjoining Parish or Parishes; any Law, Usage, or Custom to the contrary notwithstanding.

Respecting  
Encroach-  
ments.

VI. And be it further enacted, That all Encroachments which at any Time within Twenty Years now last past have been made upon the said Heaths, Commons, and Waste Grounds, shall be deemed Part thereof, and shall be divided and allotted accordingly; and in case any Dispute or Difference shall arise touching any such Encroachments, or the Extent thereof, such Dispute or Difference shall be determined by the said Commissioners.

Commission-  
ers 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 said intended Division and Allotments, touching or concerning the respective Rights and Interests which they or any of them shall claim to have in or upon the Lands and Grounds hereby directed to be divided and allotted, or concerning any Timber, Wood, Underwood, Bushes, Thorns, Whinns, or Furze growing thereon, or concerning any Allowance claimed or to be claimed for ploughing, sowing Turnips or Corn, laying down with Grass Seeds, manuring or improving the said Lands and Grounds, or any Part thereof, or touching or concerning any Matter or Thing relating to the said Division and Allotments, it shall be lawful for the said Commissioners, and they are hereby authorized and required to examine into, and hear and determine the same: Provided always, that nothing in this Act contained shall authorize the said Commissioners to determine the Title to any Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever.

but not to  
determine  
Titles.

Commission-  
ers may assess  
Costs.

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 to award any Costs, it shall be lawful to and for the said Commissioners, and they are hereby authorized and empowered, upon Application made to them for that Purpose, to settle, assess, and award such Costs and Charges as they shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, whose Claim or Claims, Objection or Objections, shall be thereby disallowed or over-ruled, or against whom the said Commissioners shall have determined as aforesaid, and in case the Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, who shall be liable to pay such Costs and Charges, shall neglect or refuse to pay the same on Demand, then and in such Case it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands and Seals directed to any Person or Persons whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons, or Body or Bodies Politick, Corporate or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand, to the Person or Persons, or Body or Bodies Politick, Corporate,



porate, or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

IX. Provided always, and be it further enacted, That in case any Person or Persons, or Body or Bodies Politick, Corporate, or Collegiate, interested or claiming to be interested in the said intended Division and Allotments, shall be dissatisfied with any Determination of the said Commissioners, touching or concerning any Claim or Claims of or for any Rights of Soil, Sheepwalk, or Common, or other Commonable Rights or Interests, in, over, upon, or out of the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, or concerning any Objection or Objections made to such Claim or Claims, then and in every such Case it shall be lawful to and for the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, so dissatisfied, to have the Matter of any such Claim or Objection tried at Law, at the next or at the Second Assizes to be holden for the said County of *Norfolk*; and for that Purpose the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, who shall be dissatisfied with such Determination of the said Commissioners, shall cause an Action or Actions to be brought against the Person or Persons in whose Favour such Determination shall have been made, in one of His Majesty's Courts of Record at *Westminster*, within Three Calendar Months next after such Determination shall have been made; and the Defendant or Defendants in such Action or Actions shall, and he, she, and they is and are hereby required forthwith to name an Attorney or Attornies, and to appear or file Common Bail, and accept one or more Declaration or Declarations, and plead or proceed to Issue thereon, whereby such Claim or Claims, Objection or Objections, and the Rights or Interests thereby insisted upon, may be tried and determined at the First or Second Assizes to be held for the said County of *Norfolk*, next after the making of such Determination (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, 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 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, Objection or Objections thereby determined, according to the Event of such Trial or Trials.

Parties may try their Rights at Law.

X. Provided always, and be it further enacted, That all such Determinations of the said Commissioners as shall have been so made as aforesaid, with respect to such Claims or Objections, and concerning which no such Action at Law shall be brought or commenced, and proceeded in within the Time aforesaid, shall be final, binding, and conclusive upon all Persons whomsoever; any Thing in the said recited Act or in this Act contained to the contrary notwithstanding.

Determination of Commissioners to be final, if no Action brought.



If Parties die,  
Proceedings  
not to abate.

XI. Provided also, and be it further enacted, That if any of the Parties in any such Action to be commenced by virtue or 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.

Old Roads to  
be continued  
till new Roads  
are made.

XII. And be it further enacted, That none of the present publick Highways or Roads within the said Parishes of *Sparham* and *Billingford* shall be shut up or discontinued, until the Roads intended to be and remain publick Highways within the same Parishes respectively shall be set out, and properly formed and made safe and convenient for the Passage of Horses, Cattle, and Carriages.

Allotments  
for Watering  
Places, and  
Sand and  
Gravel Pits.

XIII. And be it further enacted, That the said Commissioners shall assign, set out, and allot unto the Surveyors of the Highways within the said Parishes of *Sparham* and *Billingford* respectively, and to their respective Successors for ever, such Parts and Parcels of the Lands and Grounds hereby directed to be divided and allotted (not exceeding Three Acres in either of the said Parishes) as shall in the Judgment of the said Commissioners be proper and sufficient as and for publick Watering Places for Cattle, and for publick Sand, Gravel, Stone, Clay, and Chalk Pits, and the same shall be inclosed and fenced in such Manner as the said Commissioners shall direct; and such Allotment and Allotments, when set out, shall for ever thereafter be used by the Surveyors of the Highways, and by the Proprietors of Lands and Estates within the said Parishes respectively, and their Tenants for the Time being, in such Manner, and under such Rules and Regulations as the Lords or Ladies of the said Manors herein-before mentioned, and the Churchwardens and Overseers of the Poor, and Surveyors of the Highways of and within the said Parishes respectively for the Time being, or the major Part of them, shall order, direct, and appoint, and not otherwise.

Allotments  
to Lords of  
Manors for  
Right of Soil.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required in the next place to set out and allot unto the Lords or Ladies of the several Manors herein-before mentioned, and to the Lords or Ladies of any other Manor or Manors, or to such of them as shall in the Judgement of the said Commissioners be entitled to the Soil of the Heaths, Commons and Waste Grounds within the said Parishes of *Sparham* and *Billingford* respectively, so much and such Parts of the Lands and Grounds hereby directed to be divided and allotted, not exceeding in Value One Sixteenth Part nor less than One Twentieth Part in Value of the said Heaths, Commons, and Waste Grounds in the said respective Parishes, as the said Commissioners shall determine and declare to be a Compensation and full Satisfaction of and for the Right of such Lords and Ladies respectively, of, in, and to the Soil of the said Heaths, Commons, and Waste Grounds, according and in proportion to their several Parts, Shares, Rights, and Interests therein.

Allotments  
for Rights of  
Sheepwalk.

XV. And be it further enacted, That the said Commissioners shall assign, set out, and allot unto the said *Thomas William Coke*, and to all and every other Person or Persons entitled to any Right or Rights of Sheepwalk, Foldcourse, Shackage, and Feed for Sheep, in, over, and upon



upon the Lands and Grounds in the said respective Parishes hereby directed to be divided and allotted, or any Part or Parts thereof, so much and such Parcels of the said Lands and Grounds in the said respective Parishes, as shall in the Judgement of the said Commissioners be equal in Value to and contain a full Recompence and Satisfaction for his, her, or their several and respective Right or Rights of Sheepwalk, Foldcourse, Shackage, and Feed for Sheep, in, over, and upon the said Lands and Grounds hereby directed to be divided and allotted, or any Part or Parts thereof.

XVI. And be it further enacted, That the said Commissioners shall assign, set out, and allot out unto the Rector of the Rectory and Parish Church of *Sparham* aforesaid, and his Successors, Rectors of the same Rectory for the Time being, such Part or Parts of the Lands and Grounds hereby directed to be divided and allotted within the said Parish of *Sparham*, as in the Judgement of the said Commissioners shall be a full Equivalent and Compensation for the Glebe Lands, and for any Commonable Rights and Interests belonging or appertaining to the aforesaid Rectory, in, upon, and over the Lands and Grounds within the said Parish of *Sparham*, hereby directed to be divided and allotted; and the said Commissioners shall also in like Manner assign, set out, and allot unto the Rector of the Rectory and Parish Church of *Billingsford* aforesaid, and his Successors, Rectors of the last-mentioned Rectory for the Time being, such Part or Parts of the Lands and Grounds hereby directed to be divided and allotted within the said Parish of *Billingsford*, as in the Judgement of the said Commissioners shall be a full Equivalent and Compensation for the Glebe Lands, and for any Commonable Rights or Interests belonging or appertaining to the said last-mentioned Rectory, in, over, and upon the Lands and Grounds within the said Parish of *Billingsford*, hereby directed to be divided and allotted; and all and every Parcel and Parcels of Land which shall be so allotted unto and for the said Rectors respectively, and their respective Successors, Rectors as aforesaid, shall be inclosed and fenced with a Ring Fence, with proper Gates and Posts, in such Manner as the said Commissioners shall direct and appoint; and such Ring Fences Gates, and Posts, shall be made at the Expence of the several and respective Owners of and Persons interested in the Lands and Grounds hereby directed to be divided and allotted (except the Rectors of the said Rectories for the Time being) in such Shares and Proportions as the said Commissioners shall, in and by their Award, order and direct; and from and after the making the said Fences, the same or such Parts thereof as the said Commissioners shall direct, shall for ever thereafter be preserved, maintained, and kept in Repair by and at the Expence of the Rectors of the said Rectories and Parish Churches respectively, and their respective Successors for the Time being.

Allotments  
to Rectors.

XVII. And be it further enacted, That the said Commissioners shall assign, set out, and allot unto the several Owners of such of the Common Right Messuages or Cottages within the said Parish of *Sparham*, as shall not, in the Judgement of the said Commissioners, be of more than the annual Value of Five Pounds respectively, such Part of the Lands and Grounds hereby directed to be divided and allotted, as the said Commissioners shall deem and consider to be equal in Value *per Annum* to the annual

Allotment  
of the annual  
Average  
Value of One  
Acre to cer-  
tain Common  
Right Houses  
in Sparham.



annual Average Value of One Acre of the Heaths, Commons, and Waste Grounds within the said Parish of *Sparham*, to and for each and every such Common-right Messuage or Cottage not exceeding the annual Value of Five Pounds as aforesaid, over and above the Allotment or Allotments to which the Owners of such Messuages or Cottages respectively shall be entitled by virtue of this Act.

Allotment for  
Fuel for the  
Poor at  
*Sparham*.

XVIII. And whereas it may be deemed expedient to assign and set out some Part or Parts of the said Heaths, Commons, and Waste Grounds in the said Parish of *Sparham*, for the Purpose of supplying Flag, Turves or Turf, and Whinns or Furze, for Fuel for the poor Inhabitants of the said Parish of *Sparham*; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, if they shall deem it expedient, to assign, set out, and allot unto the Lords or Ladies for the Time being of the said several Manors of *Sparham Mautbies*, *Sparham Stewkball*, *Beestons* and *Folkards*, *Lyng*, *Bylaugh* with the Members, and *Bawdswell* late *Beales*, and to the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Sparham* for the Time being, as Trustees for the Poor of the same Parish for ever, such Part or Parts of the Heaths, Commons, and Waste Grounds in the said Parish of *Sparham*, for supplying Flag, Turves or Turf, and Whinns or Furze, for Fuel, as, in the Judgement of the said Commissioners, shall be reasonable and proper for that Purpose; and such Allotment or Allotments, when so set out, shall be vested in the Lords or Ladies of the said last-mentioned Manors, and the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Sparham* for the Time being, for ever, upon the Trusts and for the Purposes herein-after mentioned; and such Allotment or Allotments, or any Part or Parts thereof, shall be inclosed, ditched, and fenced in such Manner, and ploughed and sown with Whinn or Furze Seeds, at such Time or Times as the said Commissioners shall, by Writing under their Hands or in and by their Award order and direct; and the Flags, Turves or Turf, Whinns or Furze, coming, growing, and arising upon and from such Part of the said Lands as shall be so allotted for Fuel as aforesaid, shall be cut, taken, and used by such poor Inhabitants legally settled in the said Parish of *Sparham*, in such Quantities, in such Manner, and at such Time or Times in each and every Year, and under and subject to such Orders, Rules, and Regulations as the said Trustees for the Time being, or the major Part of them, shall from Time to Time direct and appoint, and not otherwise.

Allotments  
for Fuel and  
Pasture for  
the Poor at  
*Billingsford*.

XIX. And whereas it may be deemed expedient to assign and set out some Part or Parts of the Heaths, Commons, or Waste Grounds in the said Parish of *Billingsford*, for the Purpose of supplying Flag, Turves or Turf, and Whinns or Furze for Fuel, and Common Pasture for Cattle, for certain Householders and for the poor Inhabitants of the said Parish of *Billingsford*; be it therefore further enacted, That it shall and may be lawful for the said Commissioners, if they shall deem it expedient, and the Lords and Ladies of the said several Manors of *Billingsford*, *Beck* otherwise *Beckball* in *Billingsford*, and *Billingsford Waffins*, shall consent thereto, to assign, set out, and allot unto the Lords or Ladies of the last-mentioned Manors, and to the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Billingsford* for the Time being, as Trustees for such Household-  
holders



holders and poor Inhabitants respectively, for ever, such Part or Parts of the Heaths, Commons, and Waste Grounds within the said Parish of *Billingsford*, for supplying Flag, Turves or Turf, and Whinns or Furze, for Fuel, and Common Pasture for Cattle, or for either of such Purposes, as, in the Judgment of the said Commissioners, shall be most proper for the Purpose for which the same was intended; and the last-mentioned Allotment or Allotments when so set out, shall be vested in the Lords or Ladies of the said last-mentioned Manors, and the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Billingsford* for the Time being, for ever, upon the Trusts and for the Purposes herein-after mentioned; and such Allotment or Allotments, or any Part or Parts thereof, shall be inclosed, ditched, and fenced in such Manner, and ploughed and sown with Whinn or Furze Seeds, at such Time or Times as the said Commissioners shall, by Writing under their Hands, or in and by their Award order and direct; and the Flags, Turves or Turf, and Whinns or Furze, coming, growing, and arising upon and from such Part of the said Lands as shall be so allotted for Fuel as last aforesaid, shall be cut, taken, and used by such poor Inhabitants legally settled in the said Parish of *Billingsford*, in such Quantities, in such Manner, and at such Time or Times in each and every Year, and under and subject to such Orders, Rules, and Regulations, as the said Trustees for the said Parish of *Billingsford* for the Time being, or the major Part of them, shall from Time to Time direct or appoint; and such Allotment or Allotments as shall be so as aforesaid set out for Common Pasture for Cattle in *Billingsford*, shall be fed and used by such Number and Sort of Cattle belonging to such Householders within the same Parish, at such Times of the Year, and in such Manner, as the said Commissioners shall, in and by their said Award prescribe and appoint, and not otherwise: Provided al-

Lords of  
Manors and  
Rectors may  
act by Proxy.

XX. And be it further enacted, That after the said several Allotments shall have been made and set out in manner herein-before directed, the said Commissioners shall divide, set out, and allot all the Residue and Remainder of the Arable, Pasture, and Meadow Lands, Heaths, Commons, Commonable Lands, and Waste Grounds within the said Parishes of *Sparham* and *Billingsford* respectively, unto and amongst the several Owners and Proprietors thereof, and unto and amongst all and every Person and Persons, Body and Bodies Politick, Corporate or Collegiate, having any Right or Interest in, to, over or upon the same or any Part thereof, in such Shares and Proportions as the said Commissioners shall adjudge and determine to be equal to the Value of, and a full Compensation and Satisfaction to him, her, or them respectively, for his, her, or their respective Parts and Shares of the said Lands and Grounds, and his, her, or their respective Rights and Interests therein, save and except as to

Allotment of  
the Residue.

[*Loc. & Per.*]

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such



such Rights and Interests, for which Compensation is herein-before provided and directed to be made.

Power of  
Commission-  
ers to confirm  
Exchanges.

XXI. Provided always, and be it further enacted, That in case the Owners and Proprietors of any Messuages, Lands, or Tenements within the said Parishes of *Sparbam* and *Billingford*, or either of them, shall have made any Exchanges, or entered into Agreements for making Exchanges of such Messuages, Lands, and Tenements, or any Part or Parts thereof, and for releasing and discharging such Lands from any Rights of Sheepwalk, Shackage, or Common, in, over, or upon the same, and for disposing and laying out such Lands for the mutual Convenience and Accommodation of such Owners and Proprietors, and their Tenants respectively, it shall and may be lawful to and for the said Commissioners to assign set out, and allot such Messuages, Lands, and Tenements, according to such Exchanges or Agreements entered into for making such Exchanges as aforesaid; and such Exchanges or the Allotments so made in pursuance thereof by the said Commissioners, shall be specified and set forth in the Award to be made by the said Commissioners in pursuance of the said recited Act, and shall thereupon be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, whether such Owners or Proprietors respectively shall be a Body or Bodies Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or Tenant or Tenants in Fee Simple, or for Life, or in Fee Tail General or Special, or by the Courtesy of *England*, or in Right of his or their Wife or Wives, or for Years determinable on any Life or Lives, such Owners or Proprietors having signified their Consent in Writing, to such Exchanges or Agreements for Exchanges, and for laying out and disposing of such Lands as aforesaid: Provided nevertheless, that all Exchanges of any Lands, Tenements, or Hereditaments held in Right of any Church, Chapel, or Ecclesiastical Benefice, be made with the Consent in Writing of the Lord Bishop of the Diocese, and of the Patron of the Living in which such Lands, Tenements, or Hereditaments so exchanged shall lie or be situate: Provided also, that all Costs, Charges, and Expences attending the making any Exchanges and Partitions, shall be paid and borne by the several Persons making such Exchanges or Partitions, in such Manner and in such Proportion as the said Commissioners shall, by their said Award, order and direct.

Expence of  
Exchanges to  
be paid by  
the Parties.

To prevent  
Turves, &c.  
being cut  
without Leave  
of the Com-  
missioners.

XXII. And be it further enacted, That it shall not be lawful for any Person or Persons, from and after the passing of this Act, to cut, dig, pare, grave, flay, or carry away any Turves, Turf, Flag, Whinns, or Furze, in, upon, or from the said Heaths, Commons, and Waste Grounds, hereby directed to be divided and allotted, or from any Part thereof, without the Licence and Consent of the said Commissioners first had and obtained for that Purpose (which Licence the said Commissioners are hereby empowered to grant, under such Regulations and Restrictions as they shall think proper to insert therein); and if any Person or Persons shall, after the passing of this Act, cut, dig, pare, grave, flay, or carry away any Turves, Turf, Flag, Whinns, or Furze, upon or from the said Heaths, Commons, and Waste Grounds, or any Part thereof, without such Licence as aforesaid, or having obtained such Licence, shall act contrary thereto, the said Commissioners, upon due Proof thereof made before them upon Oath, shall and they are hereby authorized and required, by



by Warrant under their Hands and Seals directed to any Person or Persons whomsoever, to cause any Sum of Money not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending in the Premises, rendering the Overplus (if any) upon Demand, to the Person or Persons whose Goods and Chattels shall be so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale, and the Money so to be levied as aforesaid shall be applied towards Payment of the Costs and Charges of obtaining and executing this Act.

XXIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized, at any Time or Times before the Execution of their Award, by Notice in Writing under their Hands, to be affixed upon the Doors of the respective Parish Churches of *Sparbam* and *Billingford*, aforesaid, to order and direct all or any Rights of Sheepwalk, Shackage, or Common, or other Commonable Rights whatsoever, in, over, and upon the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, to be extinguished, or the Exercise thereof to be suspended, for and during such Time or Times as shall be expressed in such Notice, and such Rights shall be extinguished, or the Exercise thereof shall be suspended accordingly; any Law, Usage, or Custom to the contrary notwithstanding.

For extinguishing or suspending Rights of Sheepwalk and Common before the Award.

XXIV. And be it further enacted, That from and after the passing of this Act, until the Execution of the said Award, no Part of the Meadow or Pasture Lands hereby directed to be divided and allotted, shall be ploughed up or converted into Tillage, without the Consent of the said Commissioners first had and obtained in Writing for that Purpose; and that all the Lands, hereby directed to be divided and allotted, shall, during that Time, be subject and liable to such Directions and Regulations as the said Commissioners shall from Time to Time, by Writing under their Hands, to be affixed upon the Doors of the Churches of *Sparbam* and *Billingford* respectively, appoint, as well with regard to the stocking as to the ploughing, folding, tilling, sowing, and laying down the same with Grass Seeds, and also as to the cutting Thorns and Bushes, thereon; and that it shall and may be lawful for the said Commissioners to order and direct such Sum or Sums of Money in respect thereof, to be paid by any Person or Persons interested in the said Lands and Grounds or any Part thereof, or by his, her, or their Tenants, to any other Person or Persons in like Manner interested therein, or his, her, or their Tenants as they the said Commissioners shall think reasonable; and in case any Person or Persons who shall be directed to pay any such Sum or Sums of Money shall neglect or refuse to pay the same on Demand, then and in such Case it shall and may be lawful for the said Commissioners, and they are hereby authorized and required to raise and levy the same for the Use and Benefit of the Person or Persons entitled thereto, by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing this Act and the said recited Act can or may be raised and levied.

Course of Husbandry.

XXV. Provided always, and be it further enacted, That no Sheep or Lambs shall be kept in any of the Allotments to be made by virtue of

Fences to be made where Sheep are kept in the new Inclosures.



of this Act, whereon any new Fence shall be raised, during the Space of Seven Years next after the Execution of the said Award, unless the Person or Persons so keeping the same shall first, at his, her, or their own Expence, make and maintain a Fence sufficient to guard the young Fences belonging to such<sup>r</sup> Allotments from being hurt or damaged by such Sheep or Lambs (whether such young Fences be made, planted, or set by the Owners or Occupiers of such Allotments as aforesaid, or by the Owners or Occupiers of the Allotment or Allotments adjoining thereto); and in case any Person or Persons shall turn or keep any Sheep or Lambs in any such Allotment or Allotments, without raising up and keeping such Fences as aforesaid, it shall be lawful for the Owner or Occupier of any adjoining Allotment or Allotments, when, where, and so often as such Sheep or Lambs shall be so turned in or kept, and from Time to Time, to take, drive away, and impound the same.

Allotments to be of the same Tenure as the Lands in lieu whereof they are allotted.

XXVI. And be it further enacted, That all the Lands and Grounds which shall be allotted by virtue of this or the said recited Act to any Person or Persons, for or in lieu, or in respect of any Messuages, Buildings, Lands, or Tenements, holden by Verge or Copy of Court Roll of any Manor or Manors, or for or in respect of any Leasehold Messuages, Lands, or Tenements, or for or in respect of any Rights of Sheepwalk, Common, or Shackage, or other Rights or Interests appurtenant or appendant to any such Copyhold or Leasehold Premises, shall, from and after the Execution of the said Award, be deemed and taken to be Copyhold or Leasehold, and shall be held as such by and under the same Tenure, and under such Rents, Fines, Payments, and Services as the Copyhold or Leasehold Messuages, Tenements, or Lands respectively, for or in lieu, or in respect whereof such Allotments shall be made, are now held; and that all and every Person and Persons to whom such Copyhold Premises shall be allotted as aforesaid, shall, within the Space of Six Calendar Months next after the Execution of the said Award, be admitted Tenant or Tenants to the same, without paying any Fine or other Charge to the Lord or Lords, Lady or Ladies, or to the Steward or Stewards of such Manor or Manors (save and except for the Stamp Duties and Parchment requisite to be used for the Copies of such Admissions respectively, and such reasonable Fees to the said respective Stewards of the said Manors as the said Commissioners shall, in and by their Award, order and direct to be paid on such Admissions respectively); but in case the Person or Persons to whom any such Copyhold Premises shall be allotted as aforesaid, shall not have been admitted to the Copyhold Lands and Tenements, in lieu or in respect whereof such Allotment or Allotments shall be made, or shall happen to die before such Time as he, she, or they shall have been duly admitted to the Premises allotted, then the customary Fines and other Payments shall be due and payable upon the Admission of the Person or Persons entitled to such Lands so allotted as last aforesaid; and after every such first Admission, the Copyhold Premises so to be allotted as last aforesaid shall at all Times afterwards be held under and subject to the same Tenure, Fines, Payments, and Services, as the Copyhold Lands or Tenements in lieu whereof such Premises were allotted are now held under and subject to; and the said Commissioners shall by their said Award determine, describe, and abut the Messuages, Buildings, Lands, and Tenements which are to be and remain Copyhold  
or



or Leasehold; and all other Messuages, Buildings, Lands, and Tenements in the said Parishes of *Sparham* and *Billingford* respectively (except what shall be so ascertained by the said Commissioners to be Copyhold or Leasehold) shall be from thenceforth deemed, taken, and enjoyed as Freehold Lands and Tenements, subject nevertheless to such Free Rents, Payments, and Services, as are now payable out of or for the respective Messuages, Lands, or Tenements, for or in lieu whereof the same shall or may be allotted as aforesaid.

XXVII. And be it further enacted, That where the Proprietor or Proprietors of any Messuages, Lands, or Tenements, which shall be divided, allotted, or exchanged by virtue of this Act or of the said recited Act, shall hold their respective Messuages, Lands, or Tenements by different Tenures or for different Estates, or under different Titles, the said Commissioners shall, upon the Request of such respective Proprietors in Writing under their Hands, ascertain and distinguish the Messuages, Lands, and Tenements, held by each of such Tenures, for each of such Estates, and under each of such Titles respectively, and shall accordingly, in their said Award set out and distinguish distinct and several Allotments for such respective Messuages, Lands, and Tenements; and in any Case where, from want of necessary Information before the said Commissioners, or from any other Cause, they shall in their said Award omit to discriminate and distinguish such different Titles, different Estates, and different Tenures, and after the making and executing such Award, Request shall be made to the said Commissioners by any Person or Persons interested, by Writing under his, her, or their Hand or Hands, to have such Omission supplied by a separate Instrument, then and in every such Case the said Commissioners are hereby authorized to do and cause to be done all such Acts, Matters, and Things as may be necessary and proper to be done for the Purpose of supplying such Omission or Omissions, and so far as that Purpose shall require to examine Witnesses, and in every other Respect to proceed and act as if the said Award had not been made; and when the said Commissioners shall have obtained such Information as they shall deem to be sufficient for the Purpose, they are also hereby authorized, by any Deed under their Hands and Seals, to ascertain and distinguish the Difference of such Tenures, Estates, and Titles respectively, and accordingly to make distinct and several Allotments, in the same Manner as is hereby required to be done where such Discrimination should be made in and by the said Award; and every such separate Deed or Instrument duly executed by the said Commissioners, shall have the same Force and Effect as if it was contained in the said Award, and shall be delivered to the Person or Persons upon whose Request the same shall have been made and executed, or to the Person or Persons to whom the Custody of the Deeds and Writings concerning the Title to the Premises in question shall, in the Opinion of the said Commissioners, most properly belong for the Time being; and all the Charges and Expences which shall be reasonably incurred in and about such Discrimination and Distinguishment, and also in the preparing and executing any such supplemental Deed or Instrument, shall be borne and paid by the Person or Persons who shall request the said Commissioners to make and execute the same, or by his, her, or their Heirs, Executors, or Administrators; and in case such Charges and Expences shall not be so paid upon Demand made thereof, the same shall and may be recovered and levied in the same Man-

Separate Allotments to be made for Estates held under different Titles.



ner, and by the same Ways and Means, as the Costs and Charges of obtaining and executing this Act can or may be levied and recovered.

Allotments  
for Lease and  
Lifeholders to  
go to Rever-  
sioners.

XXVIII. And be it further enacted, That all such Parts and Shares of the said Lands and Grounds hereby directed to be divided, as shall be allotted for and in respect of any Messuages, Lands, or Tenements which are Leasehold for long Terms or Term of Years, or which are held by Grant or Demise for any Life or Lives, shall, from and after the Determination of the Term or Terms of Years or the Extinction of the Life or Lives for which the same are held, go, remain, and revert to such Person or Persons as shall be entitled to the Reversion or Remainder of the Estate or Estates, for or in respect whereof such Parts and Shares shall be allotted respectively; and such Person or Persons shall severally have and enjoy the same Estate, Right, Title, Power, and Interest, in such Parts and Shares of the said Lands and Grounds, as he, she, or they shall of Right have in the Messuages, Cottages, Lands, or Tenements respectively, for or in respect whereof such Parts and Shares shall be so allotted as aforesaid, and all Rights of Common of Pasture, and of Turbary, or of cutting and taking Flag, Turf or Turves, and Whinnis or Furze for Fuel, upon any Part or Parts of the Lands and Grounds hereby directed to be divided and allotted, which shall be assigned and set out, or which shall belong to any Person or Persons under or by virtue of this Act or of the said recited Act, shall be deemed and taken to be appurtenant to the Messuages or Cottages for or in respect whereof the same shall be assigned and set out, or to which the same shall belong, and shall be of the same Tenure as the Messuages or Cottages to which the same shall be appurtenant as aforesaid.

Leases at  
Rack Rent to  
be void on  
making  
Tenants  
Satisfaction.

XXIX. And be it further enacted, That all Leases and Agreements at Rack or extended Rents which are now subsisting, upon or in respect of all or any Part or Parts of the Messuages, Buildings, Lands, and Tenements within the said Parishes of *Sparham* and *Billingford*, or either of them, either alone, or together with any other Lands, Tenements, or Hereditaments in any adjoining Parish or Parishes, shall cease, determine, and be void immediately after the Execution of the said Award, or within such further Time as the said Commissioners shall appoint, the respective Tenants or Lessees of the said Premises, receiving from the respective Owners and Proprietors thereof, such Sum or Sums of Money as the said Commissioners shall ascertain as reasonable to be paid to such Tenant or Tenants respectively as an Equivalent for the same; and if the Money so to be ascertained as aforesaid shall not be paid to the Person or Persons entitled to receive the same, within Ten Days after Demand thereof, it shall be lawful for the said Commissioners, and they are hereby required to raise and levy the same for the Use and Benefit of the Person or Persons entitled thereto, by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing this and the said recited Act, can or may be raised or levied: Provided always, that if there shall be any Lease of Lands, Part of which shall lie in the said Parishes of *Sparham* and *Billingford*, and Part in any adjoining Parish, all and every such Lease or Leases upon Rack Rent now subsisting may be vacated; but where any Land shall have been taken in Exchange, which Land shall be under Lease, and wholly situate in an adjoining Parish, the Lease of such last-mentioned Land shall not be vacated.

XXX. Provided



XXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to revoke, make void, alter, or annul any Will, Settlement, or Surrender, or to prejudice any Person or Persons having any Estate, Right, or Claim of Dower, Jointure, Portion, Debt, Rent, or Incumbrance, out of, upon, or affecting any of the Messuages, Lands, or Tenements to be divided, allotted, or exchanged by virtue of this or the said recited Act, or any Part or Parts thereof respectively (other than such Leases or Agreements at Rack or extended Rents as are herein-before mentioned and declared to be void); but that each and every Owner and Proprietor shall stand and be seised of the Lands and Tenements to be allotted to or given in Exchange to him, her, or them as aforesaid, to, for, and upon such and the same Uses, and for such and the same Estates, and subject to such and the same Wills, Deeds, Surrenders, Limitations, Remainders, Powers, and Provisoos, Charges, Debts, and Incumbrances, and no other, as the Lands or Tenements whereof such Owners and Proprietors were respectively seised or possessed, at or immediately before the Execution of the said Award, or for which, or for or in respect whereof such Allotments or Exchanges shall be made, would have been subject to, charged with, or affected by, in case this Act had not been made.

Wills and Settlements not to be affected.

XXXI. And be it further enacted and declared, That within Six Calendar Months after the said Commissioners shall have made and executed their Award, according to the Directions of the said recited Act, they shall cause the same to be inrolled by or with the Clerk of the Peace for the said County of *Norfolk*, to the End that Recourse may be had thereto by any Person or Persons interested therein, for the Inspection and Perusal whereof the Sum of One Shilling and no more shall be paid; and a Copy of the said Award or any Part thereof, signed by the said Clerk of the Peace or his Deputy, certifying the same to be a true Copy, shall from Time to Time be made and delivered by the said Clerk of the Peace or his Deputy, to any Person requiring the same, for which Copy no more shall be paid than Four-pence *per Sheet*, each Sheet containing Seventy-two Words; and the said Award, and each Copy thereof, or of any Part thereof, signed as aforesaid, shall at all Times be admitted and allowed in all Courts whatsoever, as legal Evidence of the Matters and Things therein contained; and after such Enrolment thereof, the said Award shall be delivered to the said *Thomas William Coke*, or the Lord or Lady for the Time being of the said Manors of *Sparham Mautbies*, *Sparham Stewkball*, *Beeftons* and *Folkards*, *Billingford*, and *Beck* otherwise *Beckhall*, in *Billingford*, and the several Allotments, Partitions, Orders, Directions, Matters, and Things contained in the said Award, shall be and are hereby declared to be binding, final, and conclusive upon all and every Person and Persons interested in the Premises; and all Commonable Rights and Interests whatsoever, in, over, or upon the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, shall, from and immediately after the Execution of the said Award, cease, determine, and be for ever extinguished; and the same Lands and Grounds shall for ever thereafter be held and enjoyed, in Severalty, by the respective Owners and Proprietors thereof.

The Enrolment of Award.

XXXII. Provided always, and be it further enacted, That the said Commissioners, at or before the Time of executing the said Award, shall

Plan and Description of Copyholds to be made and



delivered to  
Lords of cer-  
tain Manors.

cause Maps or Plans to be made of all such Messuages, Lands, and Tenements within the said Parishes of *Sparham* and *Billingford* respectively, as the said Commissioners shall, in and by their said Award, determine, describe, or declare to be Copyhold, of the said several Manors of *Billingford Waffins* and *Sparham* Rectory; and the said Commissioners shall in like Manner cause Extracts or Copies to be made on Parchment, of such Part or Parts of their said Award as shall contain the Description and Abuttals of the Messuages, Lands, and Tenements so determined and declared by them to be Copyhold of the said last-mentioned Manors respectively; and such Maps, Plans, Extracts, or Copies shall be signed by the said Commissioners, and such Map or Plan, Extract or Copy, as relates to or describes the Messuages, Lands, and Tenements which are to be and remain Copyhold of the said Manor of *Billingford Waffins*, shall be delivered to the said Sir *John Lombe*, or to the Lord or Lady of the said Manor of *Billingford Waffins* for the Time being; and such Map or Plan, Extract or Copy, as relates to or describes the Messuages, Lands, or Tenements which are to be and remain Copyhold of the said Manor of *Sparham* Rectory, shall be delivered to the said *James Stoughton*, or to the Rector for the Time being of the Rectory and Parish Church of *Sparham* aforesaid; and such Maps, Plans, Extracts, or Copies, so made and signed by the said Commissioners as aforesaid, shall, from Time to Time and at all Times thereafter, be admitted and allowed as legal Evidence of the Matters and Things therein contained, described, and expressed, in all Courts whatsoever.

For defraying  
the Expences  
of obtaining  
and executing  
this Act.

XXXIII. And be it further enacted, That all the Costs and Charges incident to and attending the obtaining and passing this Act, and of surveying, admeasuring, planning, and valuing the Messuages, Lands, and Tenements within the said Parishes of *Sparham* and *Billingford* respectively, and of dividing and allotting the Lands and Grounds hereby or by the said recited Act authorized or directed to be divided and allotted, and of inclosing and fencing the said Allotments herein-before directed or authorized to be made to the Lords of the said several Manors, and to the said Rectors, Churchwardens, and Overseers of the Poor of the said respective Parishes of *Sparham* and *Billingford*, in Trust for the Poor of the same Parishes respectively, and of inclosing and fencing the Allotments herein-before directed to be set out as publick Watering Places, and for Sand, Gravel, Stone, Clay, and Chalk Pits, and of forming and making the publick Roads and Ways, which shall be set out and appointed to be first formed and made in pursuance of the said recited Act, and of inclosing and fencing on the Outside thereof the Allotments herein-before directed to be made to the Rectors of the said respective Parishes, for and in respect of their said several Rectories, and of preparing and inrolling the Award of the said Commissioners, and all the Charges and Expences of the said Commissioners and their Assistants and Servants, and all other necessary Charges and Expences of the several Persons employed by them in and about the Premises, either before or after the Execution of the said Award, and all other Expences of carrying this and the said recited Act into Execution, shall be borne and paid by the several Person and Persons, and Body or Bodies Politick, Corporate, and Collegiate, to whom any Allotment or Allotments shall be made by virtue of the said recited Act and this Act, in such Shares and Proportions, and within such Time, and at such Place, and to such Person or Persons, as the said Commissioners shall



shall, in and by their said Award, order, direct, and appoint; (save and except the Lords of the said Manors, and the said Rectors, Churchwardens, and Overseers respectively, in respect of the Allotments to be made to them in Trust as aforesaid; and also save and except the said Rectors of the said Parishes of *Sparham* and *Billingford* respectively, for or in respect of any Allotment or Allotments which shall be made to them in right of their said Rectories respectively; and also save and except the Surveyors of the Highways within the said Parishes of *Sparham* and *Billingford* respectively for the Time being, for or in respect of the Allotment or Allotments hereby directed to be made to them as aforesaid; and also save and except such Person or Persons, whose real Property within the said Parishes of *Sparham* and *Billingford*, or either of them, together with the Allotment or Allotments to be made to him, her, or them respectively; under or by virtue of this Act and the said recited Act, shall not, in the Judgement of the said Commissioners, exceed the annual Value of Five Pounds at the Time of making and executing the said Award; and in case any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall refuse or neglect to pay his, her, or their Proportion of such Costs, Charges, and Expences as aforesaid, within the Time, and at the Place, and to such Person or Persons as the said Commissioners shall in Manner aforesaid direct or appoint, then and in such Case the said Commissioners shall cause the same to be levied and recovered in the Manner directed by the said recited Act: Provided always, that the said Proprietors, their Attornies and Agents, shall pay their own Expences, when they or any of them shall attend the said Commissioners at any of their Meetings to be held for the Execution of the said recited Act or of this Act.

Proprietors  
and Agents to  
pay their own  
Expences.

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

Directions for  
charging Co-  
pyhold Lands  
with Expences.

XXXV. And be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the several Rectors of the said Rectories, and Parish Churches of *Sparham* and *Billingford* respectively for the Time being, in or to any Tythes arising or renewing out of or payable in respect of any Lands or Tenements within the said Parishes of *Sparham* and *Billingford* respectively; but that such Tythes shall be payable and paid at all Times hereafter, in the same Manner as they would have been in case this Act had not been made.

Right to  
Tythes not to  
be prejudiced.

[Loc. & Per.]

[18 X]

XXXVI. And



