



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 212.

An Act for allotting Lands in the Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham*, in the County of *Norfolk*. [5th May 1812.]

WHEREAS there are within the Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham*, in the County of *Norfolk*, divers Arable, Meadow, and Pasture Lands, and also certain Tracts of Warren, Heath, Commons, Common Fens, Commonable Lands, and Waste Grounds: And whereas *Thomas William Coke* Esquire is Lord of the several Manors of *Longham Hall*, and *Guntons*, and *Priors*, and *Wattlingtons* in *Longham*, and of *Kempston*, and of *Burwood Hall* in *Mileham*, in the said County; and the Reverend *George Barnwell* Clerk is Lord of the several Manors of *Mileham* and *Beeston* on the Part of *Beeston*, and *Mileham* and *Beeston* on the Part of *Mileham*, in the said County; and the said *Thomas William Coke*, and also the said *George Barnwell*, respectively claim to be entitled to the Soil of the said Heaths, Commons, Common Fens, and Waste Grounds within the said respective Parishes, or some Part or Parts thereof: And whereas the said *Thomas William Coke*, *Hamond Alpe* Esquire, *William Collison* Esquire, *John Davey* Esquire, the Reverend *Frederick Henry Barnwell* Clerk, the Reverend *Baily Wallis* Doctor in Divinity, and *Deborah Bunting* Widow, and several other Persons, are respectively the Proprietors of all the Messuages, Cottages, Lands, and Tenements, situated, lying and being within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham*: And whereas some Parts of the said Arable, Meadow, and Pasture Lands are intermixed, and otherwise

[Loc. & Per.] 51 L inconveniently

inconveniently situated for the respective Owners and Occupiers thereof; and the said Tracts of Warren, Heath, Commons, Common Fens, Commonable Lands, and Waste Grounds, in their present State yield but little Profit; and some Parts of the said Lands and Grounds are subject to Rights of Sheepwalk, and Common of Pasture, or other Commonable Rights; and it would be very beneficial to the several Persons interested in the Premises, and also of public Utility, if the said Rights were extinguished, upon a proper Compensation being made for the same; and if all the said Lands and Grounds were divided, and specific Parts thereof allotted to the several Proprietors thereof, and other Persons interested therein, according to their respective Estates, Rights, and Interests; but such Extinguishment, Division, and Allotments, cannot be effectually made and established without the Aid and Authority of Parliament: 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*: 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 Untbank of Heigham, in the County of the City of Norwich, Thomas Smyth of East Dereham, John Dugmore and William Yarrington, of Swaffham, both in the said County of Norfolk, Gentlemen, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Commissioners for dividing and allotting the said Arable, Meadow, and Pasture Lands, Warren, Heaths, Commons, Common Fens, Commonable Lands and Waste Grounds within the said Parishes of Longham, Kempston, Mileham, and Beeston next Mileham, and for carrying this Act and the said recited Act into Execution, subject to the Rules, Orders, and Directions herein contained, and also subject to the Powers and Provisions contained in the said recited Act, except where the same are 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 Three 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 herein-after mentioned.*

Commissioners.

For appointing new Commissioners.

II. And be it further enacted, That if any of the Commissioners herein-before named, or to be appointed as herein-after 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 be lawful for the Owners and Proprietors of Messuages, Cottages, Lands, and Tenements, within the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham*, or the major Part of them in Value, according to the Land Tax Assessments for the said Parishes, who shall be present in Person, or by their respective Attornies or Agents, appointed by Writing under the Hands of such Owners and Proprietors respectively, at a Meeting to be held for that Purpose in the said Parishes of *Longham, Kempston, Mileham, and Beeston*

next

next *Mileham*, or one of them, or within Eight Miles the east, within Forty Days after such Death, Refusal, or Incapacity to act, (of which Meeting Notice shall be given by the surviving or remaining Commissioners, or either of them, or by Two or more of such Owners and Proprietors, or their respective Attornies or Agents appointed as aforesaid, by affixing such Notice, on some *Sunday*, on the principal Doors of the Parish Churches of *Longham, Kempston, Mileham, and Beeston* next *Mileham*, and also causing the same to be inserted in one or more of the Newspapers herein-after mentioned, or in some other Newspaper then printed or circulated in the said County, Ten Days at least before such Meeting), by any Instrument in Writing under their Hands, to nominate and appoint a proper Person, (not being interested in the Premises, and not being the Attorney or Agent of any Person interested therein), to be a Commissioner in the Place and Stead of the Commissioner so dying, or refusing to act, or becoming incapable of acting as aforesaid; but if the said Owners and Proprietors shall neglect to make such Appointment in the Manner, and within the Time herein-before limited and prescribed for that Purpose as aforesaid, then, and in every such Case, it shall be lawful for the remaining or surviving Commissioners or Commissioner, and they or he are and is hereby required, within Sixty 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, and not being the Attorney or Agent of any Person or Persons interested therein), 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 carrying 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 if any Difference shall arise between the said Commissioners touching or concerning any Matter or Thing to be done by them by virtue or in Execution of the said recited Act or this Act, whereupon the said Commissioners shall be equally divided in Opinion, the said Commissioners from Time to Time, and when and so often as such Difference of Opinion shall arise, shall by Writing under their Hands, appoint some fit and proper Person, not being interested in the Premises, nor being the Attorney or Agent of any Person interested therein, to be an Umpire between them, and the Matter upon which such Difference of Opinion shall or may arise shall be referred to, and shall be settled and determined by such Umpire, whose Determination shall be made in Writing, and shall be binding and conclusive upon the said Commissioners; and for the Purpose aforesaid, but not for any other Purpose, such Umpire shall have, and he is hereby vested with the same Powers and Authorities as by the said recited Act and this Act are given to or vested in the said Commissioners.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as an Umpire as aforesaid until he shall have taken and subscribed

For appoint-
ing an Umpire.

Umpire to
take an Oath.

subscribed an Oath, in the Form or to the Effect following; (that is to say),

‘ I do swear, that I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities vested and reposed in me as an Umpire, by virtue of an Act passed in the Fifty-second Year of the Reign of King George the Third, intituled *An Act for allotting Lands in the Parishes of Longham, Kempston, Mileham, and Beeston next Mileham, in the County of Norfolk*, according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality to any Person or Persons whomsoever. So help me GOD.’

Which Oath the said Commissioners or any of them, are and is hereby empowered to administer; and such Oath, and also the Writing appointing such Umpire, shall be annexed to the Award of the said Commissioners.

Notice of Meetings.

V. 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 Newspapers called *The Norfolk Chronicle* and *The Norwich Mercury*, or in one of them, or in some other Newspaper generally 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 *Longham, Kempston, Mileham, and Beeston next Mileham*, or within Eight Miles thereof, as he shall think most convenient, giving Notice of such Adjournment to the absent Commissioners: Provided always, that all other Notices necessary or requisite to be given by the said Commissioners in pursuance of this or the said recited Act, shall be given by Advertisement to be inserted in the said *Norfolk Chronicle*, or *Norwich Mercury*, or in some other Newspaper generally circulated within the said County of *Norfolk*.

Objections to be delivered to the Parties whose Claims are objected to.

VI. And be it further enacted, That if any Person or Persons, or Body Politic, Corporate or Collegiate, interested or claiming to be interested in the Premises, shall have any Objection or Objections to any Account or Claim delivered to the said Commissioners by virtue of this or the said recited Act, the Particulars of such Objection or Objections shall be reduced into Writing, and Two Parts thereof, signed by the Party or Parties making the same, or by some Person or Persons on his, her, or their Behalf, and One Part thereof shall be delivered to the said Commissioners, and the other Part thereof shall be delivered to the Party or Parties to whose Claim or Account such Objection or Objections shall be made, or to his, her, or their Agent, or shall be left at the last or usual Place of Abode of such Party or Parties, or his, her, or their Agent, within such Time or Times as shall be appointed by the said Commissioners for that Purpose, and no such Objection shall afterwards be received, unless for some legal Disability or special Cause, to be allowed by the said Commissioners.

VII. And

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, Interests, Shares or Proportions which they or any of them shall claim to have of and in the Lands and Grounds hereby directed to be divided and allotted, or concerning any Timber or Wood, Underwood, Bushes, Thorns, Whins or Furze growing thereon, or concerning any Allowance claimed or to be made 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 other Matter or Thing whatsoever relating to the said Division and Allotments, it shall be lawful for the said Commissioners, and they are hereby required to examine into, 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.

Commissioners to settle Differences.

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

Right of Possession not to be determined by Commissioners.

IX. And be it further enacted, That in case the said Commissioners shall, upon the Hearing and Determination of any Claim or Objection, to be delivered to them in pursuance of this or the said recited Act, see cause to award any Costs, it shall be lawful for the said Commissioners and they are hereby empowered, upon Application made to them for that Purpose, to settle, assess and award such Costs 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 Politic, Corporate or Collegiate, whose Claim or Objection 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 Politic, Corporate or Collegiate, who shall be liable to pay such Costs, shall neglect or refuse to pay the same on Demand, it shall be lawful for the said Commissioners and they are hereby required, by Warant under their Hands and Seals directed to any Person or Persons whomsoever, to cause such Costs to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, so neglecting or refusing to pay the same, rendering the Overplus (if any) on Demand to the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

Commissioners may assess Costs.

Parties may
try their
Rights by an
Issue at Law.

X. Provided always, and be it further enacted, That in case any Person or Persons, or Body or Bodies Politic, 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, concerning any Claim of or for any Rights of Soil, Sheepwalk or Common, or other Commonable Rights or Interests, in, over, or upon the Lands and Grounds within the said Parishes of *Longham, Kempston, Mileham* and *Beepton* next *Mileham*, or any or either of them, or concerning any Objection or Objections made to such Claim or Claims, then and in every such Case it shall be lawful for the Person or Persons, or Body or Bodies Politic, 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 held for the said County of *Norfolk*; and for that Purpose the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, who shall be dissatisfied with such Determination of the said Commissioners, shall cause an Action or Actions to be brought in one of His Majesty's Courts of Record at *Westminster*, upon a feigned Issue, against the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, in whose Favour such Determination shall have been made, within Three Calendar Months after such Determination of the said Commissioners shall have been made; and the Defendant or Defendants in such Action or Actions shall, and he, she, or they is or are hereby required forthwith to name an Attorney or Attornies, who shall appear thereto, or file common Bail, and accept one or more Declaration or Declarations, and plead and 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 said First or Second Assizes, (such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced, in case the Parties shall differ about the same); and the Verdict or Verdicts which shall be given in such Action or Actions, shall be binding, final and conclusive, 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 said 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, Right or Interest thereby determined, according to the Event of such Trial or Trials: Provided always, that if no such Action shall be commenced as aforesaid, or if any such Action shall be commenced, and the Plaintiff or Plaintiffs therein shall not proceed to Trial within the Time herein-before limited for that Purpose, then the Determination of the said Commissioners shall be final, binding, and conclusive to all Intents and Purposes whatsoever: Provided also, that if any of the Parties in any such Action to be commenced as aforesaid, shall die before the Determination thereof, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

Provision in
case of Death
of Parties be-
fore Action
brought.

XI. Provided always, and be it further enacted, That if any Person or Persons in whose Favour any such Determination as aforesaid shall have been made, and against whom any such Action or Actions might have

have been brought, if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same within the Time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Solicitor or Clerk to the said Commissioners with Process for commencing such Action or Actions, in the same Manner as the Party or Parties might have been served therewith if living; and it shall thereupon be incumbent on the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead; and Proceedings shall be had therein, in the same Manner as if such Person or Persons had been actually living, and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

XII. And be it further enacted, That if any Suit or Suits shall be commenced or prosecuted touching or concerning the Title of any Person or Persons in or to any Lands, Tenements, or Hereditaments, for or in respect of which any Right or Interest in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any Part thereof, shall be claimed, such Suit or Suits shall not impede, delay, or hinder the said Commissioners from proceeding in the Execution of the Powers vested in them by this Act; but the said Division, Allotment and Inclosure shall be proceeded in, notwithstanding such Suit or Suits, and the Allotment may be had and taken by the Person or Persons who, upon the Determination of such Suit or Suits shall become entitled to the same.

Suits respecting Titles not to impede the Execution of the Act.

XIII. And be it further enacted, That if any of the Parties interested in the said intended Division or Inclosure shall die before the same shall be completed, the Powers and Authorities hereby given to the said Commissioners shall not be thereby determined or suspended, but that the said Commissioners shall proceed in the Execution of the Powers given to them by this Act or the said recited Act, in such Manner as they might have done in case such Parties had not died; and that the Share or Shares of the Person or Persons so dying shall be allotted to such Person or Persons who by Law shall become entitled to the same, and shall be accepted and be fenced by him, her, or them, according to the Directions of this or the said recited Act; and he, she, or they shall be liable to a Proportion of the Charges and Expences, and to the other Conditions of this and the said recited Act.

Death of Parties not to suspend the Execution of the Act.

XIV. And be it further enacted, That if any Map, Plan, Survey and Admeasurement of the said Parishes of *Longham, Kempston, Mileham, and Beefton next Mileham*, or any or either of them, shall be produced to the said Commissioners, and the same shall be in their Judgment and to their Satisfaction a just and true Map, Plan, Survey and Admeasurement, and proper to be used for the Purpose of carrying this and the said recited Act into Execution, it shall be lawful for the said Commissioners to con-

Old Surveys may be used.

tract

tract for and purchase the same at or for such Sum of Money as they shall think reasonable, and such Purchase Money shall be considered as Part of the Costs, Charges, and Expences of executing this and the said recited Act, and shall be raised, levied, and paid accordingly; and after such Contract and Purchase, the said Commissioners, and the Surveyor to be appointed by them, are authorized and required to use any such Map, Plan, Survey, and Admeasurement so contracted for and purchased as aforesaid, for the Purpose of carrying this and the said recited Act into Execution, without causing any new Map, Plan, Survey and Admeasurement to be made of the Lands and Tenements comprized therein.

For extinguishing or suspending Rights of Common before the Execution of the Award.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, at any Time before the Execution of the Award to be made by them in pursuance of this and the said recited Act, by Notice in Writing under their Hands, to be affixed upon the principal outer Doors of the Churches within the said Parishes of *Lougham, Kempston, Mileham, and Beepton next Mileham* respectively, to order and direct all or any Rights of Sheepwalk, or of Common of Pasture, 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 or Notices; and that all such Rights as the said Commissioners shall by such Notice order and direct to be extinguished, or the Exercise thereof to be suspended as aforesaid, shall from the Time specified in such Notice cease, determine, and be extinguished, or the Exercise thereof shall be suspended accordingly, any Law, Usage, or Custom to the contrary notwithstanding.

To prevent Turves, &c. being cut without Leave of the Commissioners.

XVI. And be it further enacted, That it shall not be lawful for any Persons from and after the passing of this Act to cut, dig, pare, grave, flay, or carry away any Turves, Peat, Turf, Flags, Whins or Furze, in, upon, or from the said Warren, Heaths, Commons, Common Fens, Commonable Lands, and Waste Grounds hereby directed to be divided and allotted, or any Part thereof, without the Licence in Writing 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 shall after the passing of this Act cut, dig, pare, grave, flay, or carry away any Turves, Peat, Turf, Flags, Whins or Furze, in, upon, or from the said Warren, Heaths, Commons, Common Fens, Commonable Lands and Waste Grounds, or any Part thereof, without such Licence, or having obtained such Licence shall act contrary thereto, the said Commissioners, or any Justice of the Peace acting in and for the said County, upon due Proof thereof made before the said Commissioners or Justice upon Oath, (which Oath the said Commissioners and Justice, or either of them, are and is hereby empowered to administer), shall and they or he are and is hereby required, by Warrant under their or his Hands and Seals, or Hand and Seal, 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

the Person so offending in the Premises, rendering the Overplus (if any) on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Money so to be levied as aforesaid shall be applied towards defraying the Costs and Charges of obtaining this Act, and executing this and the said recited Act.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required, with all convenient Speed after the passing of this Act, to cause Notice of their Intention to perambulate the Boundaries of the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham*, respectively, to be inserted in the said *Norfolk Chronicle*, or *Norwich Mercury*, or in some other Newspaper generally circulated within the said County of *Norfolk*, Eight Days at least before the Time of such Perambulation; and at or after the Time specified in such Notice, they the said Commissioners are hereby authorized and required to perambulate, enquire into, ascertain, set out, determine and fix the Boundaries of the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham*, respectively; and if the Evidence produced to the said Commissioners touching such Boundaries, shall in their Opinion be of equal Weight as to the Line of Boundary in Dispute between the said Parishes, or any or either of them, or any adjoining Parish or Parishes, it shall be lawful for the said Commissioners to ascertain, set out, determine and fix such intermediate Line of Boundary between such Parishes, as to the said Commissioners in their Judgment shall seem just and reasonable; and after the said Boundaries shall be so ascertained, set out, determined and fixed, the same shall and are hereby declared to be the Boundaries of the said several Parishes respectively; and the said Commissioners shall, within Forty Days after their ascertaining, setting out and fixing the said Boundaries, cause a Description thereof to be inserted in the said *Norfolk Chronicle* or *Norwich Mercury*, or in some other Newspaper generally circulated within the said County of *Norfolk*: Provided always, that if any Person or Persons interested in the Determination of the said Commissioners respecting the said Boundaries, shall be dissatisfied with such Determination, such Person or Persons may appeal to the Justices of the Peace acting in and for the said County of *Norfolk*, at any General Quarter Session of the Peace to be held within Four Calendar Months next after the aforesaid Publication of the said Boundaries, the Party or Parties making such Appeal, giving Eight Days Notice in Writing of such Appeal, and of the Matter thereof, to the said Commissioners; and the Decision of the said Justices therein shall be final and conclusive, and shall not be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

For ascertaining Boundaries.

Appeal to Session.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners (in case they shall deem it expedient or proper for the Purpose of shortening and making regular the Boundary Fences between the Lands and Grounds by this Act directed to be divided and allotted, and the Lands lying in any adjoining Parish or Parishes), with the Consent in Writing under the Hand or Hands of the major Part in Value (according to the Land Tax Assessments), of the Land Owners in any Parish or Parishes adjoining to the Lands and Grounds hereby directed

For shortening Boundary Fences.

to be divided and allotted; and also under the Hand or Hands of the Lord or Lords, Lady or Ladies of the Manor or Manors in such adjoining Parish or Parishes, or under the 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, determine and fix the Boundary between the Lands hereby directed to be divided and allotted, and the Lands in such adjoining Parish or Parishes, in such Manner as they shall judge proper for the Purposes aforesaid; and after such Boundaries shall be so set out and fixed as aforesaid, the same shall be fenced by such Person or 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 Lands and Grounds hereby directed to be divided and allotted in the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham*, and such adjoining Parish or Parishes respectively; any Law, Usage, or Custom to the contrary notwithstanding.

Respecting
Encroach-
ments.

XIX. And be it further enacted, That all Encroachments which at any Time within Twenty Years now last past, have been made upon the said Warren, Heaths, Commons, Common Fens, Commonable Lands, and Waste Grounds, shall be deemed Part thereof, and shall be divided and allotted accordingly; save and except in such Cases only where Encroachments have been made thereon, with the Consent of the Lord or Lords, Lady or Ladies of any Manor or Manors within the said Parishes of *Longham, Kempston, Mileham; and Beeston next Mileham*, or any or either of them, and entered in the Court Books, or upon the Rolls of such Manor or Manors respectively; and in case any Dispute or Difference shall arise respecting any such Encroachments, or the Extent thereof, such Dispute or Difference shall be heard and determined by the said Commissioners.

Old Roads to
be continued
till new Roads
are made.

XX. And be it further enacted, That none of the present public Highways or Roads within the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham* respectively, shall be stopped up or discontinued, until the Roads intended to be and remain public 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, according to the Directions of the said recited Act: Provided nevertheless, that such of the present public Highways and Roads in the said Parishes respectively, as shall be set out by the said Commissioners under or by virtue of the said recited Act and this Act, and directed to be and remain public Roads, shall be put into good Repair by the same Ways and Means and in the same Manner as if this and the said recited Act had not been passed.

Allotments
for public
Watering
Places, and
Sand, and
Gravel Pits.

XXI. 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 *Longham, Kempston, Mileham, and Beeston next Mileham*, respectively, for the Time being, such Parts of the Lands and Grounds within the same Parishes respectively, hereby directed to be divided and allotted, as shall in the Judgment of the said Commissioners be proper and necessary for public Watering Places for Cattle, and for public Sand, Gravel, Clay, Stone, Marl, and Chalk Pits, to be used by the Surveyors of the Highways, and by the Proprietors of Lands and Estates
within

within the said Parishes respectively, and their Tenants for the Time being, in such Manner and under such Rules and Regulations as the Lord or Lords, Lady or Ladies of the said several Manors, the Rectors of the said several Rectories, and the Vicar of the said Vicarage of *Kempston*, and the Surveyors of the Highways for the Time being within the said several Parishes respectively, or the major Part of them, shall from Time to Time direct and appoint.

XXII. And be it further enacted, That the said Commissioners shall assign, set out, and allot, unto the respective Lords and Ladies of the several Manors herein-before mentioned, or unto any other Person or Persons, being Lord or Lords, Lady or Ladies of any Manor or Manors within the said several Parishes of *Longham*, *Kempston*, *Mileham*, and *Beepton* next *Mileham*, or any or either of them, or to such of them as in the Judgment of the said Commissioners shall be entitled to the Soil of the said Heaths, Commons, Common Fens, and Waste Grounds herein directed to be divided and allotted, or any Part thereof, such Part or Parts of the Lands and Grounds hereby directed to be divided and allotted, as in the Judgment of the said Commissioners shall be equal in Value to One-eighteenth Part of the said Heaths, Commons, Common Fens, and Waste Grounds, according and in Proportion to the several Parts, Shares, Rights, and Interests therein, of such Lords and Ladies respectively; and such Allotment or Allotments shall be a full Compensation and Satisfaction to such Lords or Ladies respectively, for his, her, and their respective Rights and Interests of, in, and to the Soil of the said Heaths, Commons, Common Fens, and Waste Grounds.

Allotment
for Right of
Soil.

XXIII. 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 any of the Lands and Grounds in the said respective Parishes of *Longham*, *Kempston*, *Mileham*, and *Beepton* next *Mileham*, so much and such Parts and Parcels of the Lands and Grounds hereby directed to be divided and allotted, as shall in the Judgment 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 Lands and Grounds in the said respective Parishes, or any Part or Parts thereof.

Allotment for
Rights of
Sheep-walk.

XXIV. And be it further enacted, That the said Commissioners shall assign, set out, and allot unto the Lord or Lords, Lady or Ladies of the said Manors of *Burwood Hall*, in *Mileham*, and of *Mileham* and *Beepton* on the Part of *Mileham*, and to the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Mileham* for the Time being, in One or more Allotment or Allotments, such Part or Parts of the Common Fens, within the said Parish of *Mileham*, as the said Commissioners shall think proper, for the Purpose of supplying Turves, Peat, Flags, and Turf, for Fuel for the Poor of the said Parish of *Mileham*, not exceeding in the whole the Quantity of Thirty Acres, and such Allotment or Allotments respectively, when so set out, shall for ever thereafter be freed, exonerated, and discharged of and from the Payment of all

Allotments
for the Poor
for Fuel in
Mileham.

all Parochial Rates, Taxes, Charges, and Impositions whatsoever, and shall be vested in the Lords or Ladies of the last-mentioned Manors, and the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Mileham* for the Time being, for ever upon Trust, and to the Intent and Purpose that the Turves, Peat, Flags, and Turf, growing, renewing, and arising thereon, may be cut, taken, and used by such poor Inhabitants legally settled in the said Parish of *Mileham*, in such Proportions and Quantities, in such Manner, and at such Time or Times, in each and every Year, and under and subject to such Rules, Restrictions, Orders, and Regulations as the said Trustees, or the major Part of them, shall from Time to Time direct and appoint, and not otherwise.

Allotment
for Fuel for
the Poor in
Beeston.

XXV. And be it further enacted, That the said Commissioners shall assign, set out, and allot, unto the Lord or Lady of the said Manor of *Mileham* and *Beeston*, on the Part of *Beeston*, and to the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Beeston* for the Time being, in one or more Allotment or Allotments, such Part or Parts of the Lands and Grounds in the said Parish of *Beeston* as the said Commissioners shall adjudge to be reasonable and proper, for supplying the Poor of the said Parish of *Beeston* with Fuel, as herein-after mentioned, and such last-mentioned Allotment or Allotments shall for ever thereafter be freed, exonerated, and discharged of and from the Payment of all Manner of Tythes and Parochial Rates, Taxes, Charges, and Impositions whatsoever; and such last-mentioned Allotment or Allotments shall be vested in the Lord or Lady of the said last-mentioned Manor, and in the Rector, Churchwardens, and Overseers of the Poor of the said Parish of *Beeston*, as Trustees of the Poor of the same Parish for ever, and shall be ploughed and sown with Whin and Furze Seeds, at such Time or Times as the said Commissioners shall, by Writing under their Hands, or in and by their said Award, order and direct; and the Whins and Furze renewing, growing, and arising thereon, shall be cut, taken, and used by such poor Inhabitants legally settled in the said Parish of *Beeston* next *Mileham*, in such Proportions and Quantities, in such Manner, at such Time or Times, in each and every Year, and under and subject to such Rules, Restrictions, Orders, and Regulations as the said Trustees for the Poor of the said Parish of *Beeston* for the Time being, or the major Part of them, shall from Time to Time direct and appoint, and not otherwise; and it shall and may be lawful for the said last-mentioned Trustees, or the major Part of them for the Time being, to hold, use, and manage, or otherwise by Writing under their Hands, to let and demise the last-mentioned Allotment or Allotments, or any Part or Parts thereof, to any Person or Persons whomsoever from Year to Year, or for any Term of Years not exceeding Twenty-one Years in Possession, and not in Reversion, or by Way of future Interest, for the best and most improved yearly Rent or Rents which can reasonably be had for the same, and under such Stipulations and Restrictions as to the ploughing, sowing, tilling, cropping, and using the same, as to the said last-mentioned Trustees or the major Part of them shall seem meet; and the Rents, Issues, and Profits thereof shall be from Time to Time taken and received by the said last-mentioned Trustees, or the major Part of them for the Time being, and applied and disposed of by them in the Purchase of Coals or other Articles for Fuel, which shall be given and distributed
unto

unto and amongst such poor Inhabitants legally settled in the said Parish of *Beefton* next *Mileham*, at such Times and in such Proportions, Manner, and Form, as the said last-mentioned Trustees for the Time being, or the major Part of them, shall from Time to Time direct and appoint, and not otherwise: Provided always, that it shall be lawful for the Lords or Ladies respectively of the said several Manors, and the Rectors of the said several Parishes of *Mileham*, and *Beefton* next *Mileham*, for the Time being respectively, to act in the Execution of the Trusts hereby reposed in them as aforesaid, by his, her, or their Agents or Proxies respectively, such Agents or Proxies being appointed by Writing under the respective Hands of the Lords or Ladies of the said several Manors, and the Rectors of the said several Parishes, and producing his or their Appointment or Appointments at the Time of his or their acting by virtue thereof.

Lords of Manors and Rectors may act by Proxy.

XXVI. And be it further enacted, That after the several Allotments herein-before mentioned, shall have been set out in the Manner herein-before directed, the said Commissioners shall assign, set out, and allot all the Residue and Remainder of the Arable, Meadow, and Pasture Lands, Warren, Heaths, Commons, Common Fens, Commonable Lands, and Waste Grounds within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beefton* next *Mileham*, unto and amongst the several Owners and Proprietors thereof, and all and every Person and Persons, and Body or Bodies Politic, 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 proportionate 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 such Lands and Grounds, and his, her, or their respective Rights and Interests therein, (save and except as to the said Rights of Soil and of Sheep-walk, for which Compensation is herein-before provided and directed to be made); provided always, that in making such Allotments respectively, all and every Right and Rights of Common belonging to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, used and exercised upon any Part or Parts only of the said Heaths, Commons, Common Fens, and Waste Grounds within the said respective Parishes of *Longham*, *Kempston*, *Mileham*, and *Beefton* next *Mileham*, is and are admitted and allowed, and shall be deemed, taken, and considered by the said Commissioners, to extend into, over, and upon the whole and every Part and Parts of the said Heaths, Commons, Common Fens, and Waste Grounds, in any or either of the said Parishes respectively, wherein such Right or Rights of Common hath or have been exercised over Part or Parts only of such Heaths, Commons, Common Fens, and Waste Grounds; and that all the old Arable, Meadow, and Pasture Lands, and all and every Messuages and Cottages within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beefton* next *Mileham* respectively, which have been erected and built for the Space of Forty Years next before the passing of this Act, and also all other Messuages and Cottages within the same Parishes respectively, which have been erected and built within the Space of Twenty Years next before the passing of this Act, upon the Sites of any ancient dilapidated Messuages or Cottages, within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beefton* next *Mileham*, respectively, and the Sites of any Messuages or Cottages within the said last-men-

Allotment of the Residue.

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tioned Parishes respectively, which shall have been standing and inhabited, and in respect whereof Rights of Common shall have been exercised within Twenty Years next before the passing of this Act, is and are admitted and allowed, and shall be deemed and considered by the said Commissioners to be entitled to Rights of Common, in, over, and upon the Heaths, Commons, Common Fens, and Waste Grounds in the said respective Parishes.

Particular
Allotment to
John Davey,
Esquire.

XXVII. Provided always, and be it enacted, That Two several Inclosures of Land, called respectively the *Church Close* and *Crowes Close*, containing together by Estimation Ten Acres, be the same more or less, situated near the Church in *Mileham* aforesaid, on the South Side of the King's Highway or Road leading from the City of *Norwich* to the Town of *King's Lynn* in the said County, now belonging to *John Davey* of *Mileham*, aforesaid, Esquire, shall be assigned and set out to the said *John Davey* by the said Commissioners, in Part of the Allotment or Allotments to which the said *John Davey* will be entitled by virtue of or under this Act.

Allotments to
be marked on
Plan, and
shewn to Pro-
priators.

XXVIII. And be it further enacted, That when and so soon as the said Commissioners shall have ascertained the respective Rights and Interests of the several Persons entitled to and interested in the Lands and Grounds hereby directed to be divided and allotted, they shall cause the several Allotments proposed to be made by them in lieu and in respect thereof, to be distinctly laid down and delineated upon a Map or Plan, and shall give Notice in Manner aforesaid, of some convenient Time and Place when and where the several Persons interested therein may inspect and examine the said Map or Plan; and if any Person shall have any Objection or Objections to the proposed Allotments, he or she shall sign and deliver to the said Commissioners a Statement thereof in Writing, at or before such Meeting as shall be appointed by them for that Purpose, and the said Commissioners shall thereupon take the same into Consideration, and determine the Matter thereof.

For fencing
Allotments to
the Rectors,
Vicar, Sur-
veyors, and
Trustees for
the Poor.

XXIX. And be it further enacted, That the Allotments hereby directed to be made to the Surveyors of the Highways of the said several Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham*, and the Allotments which shall be made by virtue of this and the said recited Act to the Rectors of the said respective Rectories of *Mileham*, and *Beeston* next *Mileham*, and to the Vicar of [the said Vicarage of *Kempston*, in Right of their said Rectories and Vicarage respectively, and the Allotments hereby directed to be made to the Trustees for the Poor in the said Parishes of *Mileham* and *Beeston* respectively, shall be inclosed and fenced on the Outside thereof, in such Manner as the said Commissioners shall direct, and the Expences thereof shall be paid by and out of the Monies to be raised and levied by the said Commissioners for defraying the Costs, Charges, and Expences of obtaining this Act, and executing this and the said recited Act; and such Fences, when raised, shall be maintained and kept in Repair by the said Surveyors, Rectors, Vicar, and Trustees respectively for the Time being, in such Manner as the said Commissioners shall in and by their said Award, or any Writing under their Hands direct and appoint.

XXX. And

XXX. And be it further enacted, That if any Person (except the said Rectors and Vicar in respect of their said Rectories and Vicarage respectively) hath sold or shall at any Time before the Execution of the said Award, sell his or her Property, Right or Interest, in, to, over or upon the Lands and Grounds hereby directed to be divided and allotted, or any Part thereof, to any other Person, then, and in every such Case, it shall be lawful for the said Commissioners, and they are hereby required, upon Notice in Writing delivered to them of any such Sale, to make an Allotment of Land to the Vendee or Purchaser in every such Sale, or to his or her Heirs or Assigns, for or in respect of such Property, Right, or Interest so sold as aforesaid; and every such Vendee or Purchaser, or his or her Heirs or Assigns, shall and may from and after the Execution of the said Award, hold and enjoy the Land so to be allotted to him, her, or them as aforesaid, in the same Manner as the Vendor in such Sale might, could, or ought to have held and enjoyed the same in case such Sale had not been made, or such Property, Right, or Interest had been vested in such Vendor at the Time of making such Allotment as aforesaid.

If any Person sell his Common Right, the Allotment to be made to the Purchaser.

XXXI. And be it further enacted, That in case any Proprietor or Proprietors of any Messuages, Cottages, Lands, or Tenements within the said Parishes of *Longham, Kempston, Mileham, and Beeston* next *Mileham* respectively, shall hold the same by different Tenures, for different Estates, in different Rights, or under different Titles, the said Commissioners shall, upon the Request in Writing of any such Proprietor or Proprietors, ascertain and distinguish the Messuages, Cottages, Lands, and Tenements held by each of such Tenures for each of such Estates, and under each of such Rights or Titles respectively, and shall accordingly in their said Award, assign and set out distinct and several Allotments, by distinct and several Descriptions, for such Messuages, Cottages, Lands, or Tenements respectively; and shall in their said Award also declare in Right of what Estate or Estates such Allotments respectively shall have been made; and in case the said Commissioners, from want of necessary Information, or any other Cause, shall have omitted to ascertain and distinguish such different Rights or Titles, Estates or Tenures in their said Award, it shall be lawful for the said Commissioners, and they are hereby required, at any Time within Twelve Calendar Months after the Execution of their said Award, upon the Request in Writing of any Person or Persons interested in the Premises, to do all proper and necessary Acts for enabling them to ascertain and distinguish the same, in like Manner as they might or could have done if their said Award had not been executed; and when the said Commissioners shall have obtained sufficient Information in their Judgment for the Purposes aforesaid, they are hereby authorized and required by any Deed or Instrument in Writing under their Hands and Seals, to ascertain and distinguish such Tenures, Estates, Rights and Titles respectively, and to make distinct and several Allotments, in the same Manner as they are hereby required to do by their said Award; and every such Deed or Instrument shall have the same Force and Effect as if the Contents thereof had been inserted in the said Award, and shall be delivered to the Person or Persons upon whose Request the same shall have been executed, or 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 at the Time of such Delivery belong; and all the Charges and Expences occasioned

Distinct Allotments to be made for Estates under different Tenures, or held by different Titles.

sioned in making such Ascertainment and Distinction, and of preparing and executing any such Deed or Instrument, or in anywise relating thereto, shall be paid by the Person or Persons making such Request as aforesaid, or by his, her, or their Heirs, Executors or Administrators, to such Person, and at such Time and Place as the said Commissioners shall direct and appoint; and in case the said Charges and Expences shall not be paid upon Demand thereof made, then the same shall and may be raised and levied in such Manner, and by such Ways and Means, as the Costs, Charges, and Expences of obtaining this Act, and executing this and the said recited Act can or may be raised and levied.

Allotments to be of the same Tenure as the Lands for which they are made.

XXXII. And be it further enacted, That all the Lands and Grounds which shall be allotted by virtue of this or the said recited Act, for or in lieu or in respect of any Messuages, Cottages, Buildings, Lands, or Tenements held of any Manor or Manors by Verge or Copy of Court Roll, or for or in lieu or in respect of any Leasehold Messuages, Cottages, Buildings, Lands or Tenements, or for or in respect of any Rights of Sheepwalk, Common, or other Right or Interest appurtenant or appendant to 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 subject to the same Rents, Fines, Payments, Customs, and Services, as the Copyhold or Leasehold Messuages, Cottages, Buildings, Lands or Tenements 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 Messuages, Cottages, Lands and Grounds shall be allotted as aforesaid, shall, within Six Calendar Months next after the Execution of the said Award, or at the First General Courts to be held for the respective Manors whereof the same are held next after the Expiration of the said Six Calendar Months, 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 Steward or Stewards of such Manor or Manors, as the said Commissioners shall, by their said Award, or any Writing under their Hands order and direct to be paid on such Admissions respectively); but in case any Person or Persons to whom such Copyhold Lands and Grounds shall be allotted, or his, her, or their Heirs or Assigns shall not have been admitted to the Copyhold Messuages, Cottages, Buildings, Lands, or Tenements, in lieu or in respect whereof such Allotment or Allotments shall be made, or shall alienate the same, or shall die without having been admitted thereto, or to the Lands, Tenements, or Hereditaments allotted in lieu or in respect thereof, or shall claim as a Purchaser under any Sale, or any Contract or Agreement for Sale hereby authorized to be made, as aforesaid; or if any Person or Persons to whom any such Copyhold Premises shall be allotted as aforesaid, or his, her, or their Heirs or Assigns, shall neglect or refuse to be admitted Tenant or Tenants thereto within the Time herein-before appointed for that Purpose, then it shall and may be lawful for the Lord or Lords, Lady or Ladies of the said Manors respectively for the Time being, to take and use all such Measures for compelling Admission or Admissions to the said Copyhold Premises so allotted as aforesaid respectively, as such Lord

Lord or Lords, Lady or Ladies, is or are now by Law and according to the Custom of such Manor or Manors respectively empowered to take and use, for want of a Tenant to any Lands, Tenements, or Hereditaments holden by Verge or Copy of Court Roll of such Manor or Manors respectively; and in any or either of the said Cases, the same Fines, Fees, and other Payments shall be due and payable on such Admission or Admissions respectively, as the Lord or Lords, Lady or Ladies, and Stewards of such Manors respectively, are now by Law and the Custom of such Manors respectively entitled to take and receive upon such Admissions to any Lands, Tenements, or Hereditaments held by Verge or Copy of Court Roll, of such Manors respectively; and after every such first Admission, the Copyhold Messuages, Cottages, Lands, and Tenements so to be allotted as last aforesaid, shall at all Times be held by, under, and subject to the same Tenure, Fines, Payments, Customs, and Services as the Copyhold Messuages, Cottages, Buildings, Lands or Tenements respectively, in respect whereof such Premises were allotted are now held under and subject to; and the said Commissioners are hereby required by their said Award, to ascertain, determine, describe and abut all the Messuages, Cottages, Buildings, Lands, and Grounds within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Bceston* next *Mileham*, which are to be and remain Copyhold or Leasehold; and all other Messuages, Cottages, Lands, and Grounds to be allotted by virtue of this or the said recited Act, which shall not be so ascertained by the said Commissioners to be Copyhold or Leasehold, shall be deemed, taken and enjoyed as Freehold, subject nevertheless to such Free Rents, Payments, and Services, as are now due and payable out of the respective Messuages, Cottages, Buildings, Lands, and Tenements, for or in lieu or in respect whereof the same shall be allotted as aforesaid.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to assign, set out, allot, and award any Messuages, Cottages, Buildings, Lands, Tenements, or Hereditaments, within the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Bceston* next *Mileham*, or either of them, in lieu of or in Exchange for any other Messuages, Cottages, Tenements, Buildings, Lands, or Hereditaments within the said Parishes or either of them, or within any adjoining Parish, Township, Hamlet or Place, provided that all such Exchanges be ascertained, specified and declared in the Award of the said Commissioners, and be made with the Consent of the Proprietor or Proprietors of the Messuages, Buildings, Lands, Tenements or Hereditaments which shall be so exchanged, whether such Proprietor or Proprietors shall be a Body or Bodies Politic, Corporate or Collegiate, Corporation Aggregate or Sole, or a Tenant or Tenants in Fee Simple, or in Fee Tail General or Special, or for Life, or by the Courtesy of *England*, or for Years determinable on any Life or Lives, or with the Consent of the Guardians, Trustees, Feoffees for Charitable or other Uses, Husbands, Committees or Attornies of, or acting for any such Proprietor or Proprietors, who at the Time of making such Exchange or Exchanges shall be respectively Infants, Femes Covert, Idiots, Lunatics, or under any other legal Disability, or who shall be beyond the Seas, or otherwise disabled to act for themselves, himself, or herself; such Consent to be testified in Writing under the Common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every Exchange and

[*Loc. & Per.*]

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Exchanges

Power to
make Ex-
changes.

Exchanges so made shall be good, valid and effectual in Law, to all Intents and Purposes whatsoever: Provided nevertheless, that no Exchange shall be made of any Messuages, Buildings, Lands, Tenements or Hereditaments held in Right of any Church, Chapel, or other Ecclesiastical Benefice, without the Consent testified as aforesaid of the Lord Bishop of the Diocese in which such Messuages, Buildings, Lands, Tenements or Hereditaments shall be situated, and of the Patron of such Church, Chapel, or other Ecclesiastical Benefice; provided also that all the Costs, Charges, and Expences incurred in and about any such Exchanges, shall be borne and paid by the Party or Parties making the same, in such Manner and in such Proportions as the said Commissioners shall by their Award order and direct, and may be raised and levied in the same Manner as the Costs and Charges of obtaining this Act, and of executing this and the said recited Act, can or may be raised and levied.

Leases at
Rack Rent
not to be void.

XXXIV. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend or be deemed or taken to extend to vacate, annul or make void any Lease or Leases, or any Agreement or Agreements for any Lease or Leases at Rack or extended Rent or Rents, for any Term or Number of Years now subsisting upon, or affecting any of the Farms, Messuages, Cottages, Lands, Grounds, or Tenements within the said Parishes of *Longham, Kempston, Mileham, and Beeston* next *Mileham*, or any or either of them, but the same shall remain and continue in full Force and Effect for and during the Term and Terms of Years thereby granted, or therein expressed; and the Lessee or Lessees, Tenant or Tenants thereof, shall accept and take all such Part and Parts of the said Arable, Meadow, and Pasture Lands, Warren, Heaths, Commons, Common Fens, Commonable Lands and Waste Grounds, as shall be set out or allotted to the Landlords or Owners of such Farms, Messuages, Cottages, Lands and Tenements respectively, for or in lieu, or in respect of and in Satisfaction for the Part and Share, Parts and Shares of such Landlords or Owners respectively, of and in the Lands and Grounds hereby directed to be divided and allotted, and the Rights of Common and other Rights and Interests, appurtenant, appendant, or in anywise belonging to such Farms, Messuages, Cottages, Lands, and Tenements respectively, for and during all the Residue of such Term and Terms of Years as are granted by or expressed in such Leases or Agreements respectively, subject to the same Covenants, Stipulations, Conditions, Provisoos and Agreements, as are contained in such Leases or Agreements respectively, and to such further or other Covenants and Stipulations as the said Commissioners shall in and by their said Award, or by any Writing or Writings under their Hands, order, direct and appoint; and in Consideration thereof, the said Lessees or Tenants respectively, and their respective Executors, Administrators, and Assigns, shall pay to such Lessors or Landlords, and their respective Heirs, Successors, and Assigns, who shall from Time to Time be entitled to the same under or by virtue of such Leases or Agreements respectively, for and during the Residue and Remainder of such Terms or Years respectively, such further Sum and Sums of Money by way of Addition to and Increase of the annual Rents reserved by such Leases or Agreements respectively, as the said Commissioners shall consider and adjudge to be reasonable in that Behalf, and shall in and by their said Award, or by any Writing or Writings under their Hands order and direct to be paid; and such additional

ditional or increased Rents shall be paid at the same Place, at the same Times, and in the same Manner and Proportions, and shall be recoverable by the same Ways and Means as the original Rents payable under and by virtue of the said Leases or Agreements respectively, is or are thereby reserved and made payable, and as the same is or are by Law recoverable: Provided nevertheless, that all Leases and Agreements at rack or extended Rents, which are now subsisting upon or respect all or any Part or Parts of the Messuages, Cottages, Buildings, Lands, and Tenements belonging to *Hamond Alpe* Esquire, and the Reverend *Frederick Henry Barnwell* Clerk, respectively, within the said several Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham* respectively, or any 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 said *Hamond Alpe* and *Frederick Henry Barnwell* respectively, or their respective Heirs, Executors, Administrators or Assigns, 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 this Act, and executing this and the said recited Act, can or may be raised and levied.

XXXV. 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 Right or Claim of Dower, Jointure, Portion, Debt or Incumbrance out of, upon, or affecting any Messuages, Buildings, Lands or Tenements, in the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham* respectively, or in any adjoining Parish or Parishes which shall be allotted or exchanged by virtue of this or the said recited Act; but that each and every Proprietor shall stand and be seised of the Lands and Grounds to be allotted to or exchanged with him or her as aforesaid, to such and the same Uses, for such and the same Estates, and subject to such and the same Wills, Deeds, Settlements, Surrenders, Charges, Debts and Incumbrances, and no other, as the Messuages, Buildings, Lands and Tenements whereof such Proprietor or Proprietors was or were seised or possessed at or immediately before the Execution of the said Award, or for which or in respect whereof such Lands and Grounds shall be allotted or exchanged would have been subject to, charged with, or affected by, in case this Act had not been passed.

Wills and Settlements not to be affected.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, lessen or defeat the Right, Title or Interest of the Impropiator, Rectors and Vicar 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 *Longham*, *Kempston*, *Mileham*,

Right to Tythes not to be prejudiced.

Mileham, and *Beeſton* next *Mileham*, or any or either of them, ſave only as to the Allotments hereby directed to be made to the Surveyors of the Highways in the ſaid ſeveral Pariſhes of *Longham*, *Kempſton*, *Mileham*, and *Beeſton* next *Mileham*, and the Trustees for the Poor of the ſaid Pariſh of *Beeſton*.

Surveyors
Allotments to
be free of
Tythes and
Parochial
Charges.

XXXVII. Provided always, and be it further enacted, That the Allotments herein-before authorized and directed to be made to the Surveyors of the Highways within the ſaid Pariſhes of *Longham*, *Kempſton*, *Mileham*, and *Beeſton* next *Mileham* reſpectively, ſhall from and after the ſetting out of the ſame be for ever thereafter freed, exonerated, and diſcharged of and from the Payment of all Tythes and Parochial Taxes, Rates, Charges, Aſſeſſments and Impoſitions whatſoever.

Commissioners
to direct
the Courſe of
Husbandry.

XXXVIII. 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 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 uſed and managed in ſuch Manner, and ſhall be ſubject to ſuch Directions and Regulations as the ſaid Commissioners ſhall from Time to Time by Writing under their Hands, to be affixed upon the principal outer Doors of the Churches within the ſaid Pariſhes of *Longham*, *Kempſton*, *Mileham*, and *Beeſton* next *Mileham* reſpectively, appoint, as well with regard to the ſtocking as to the ploughing, folding, manuring, tilling, ſowing, and laying down the ſame with Graſs Seeds, and alſo as to the cutting of Thorns and Buſhes thereon; and that it ſhall be lawful for the ſaid Commissioners to order and direct ſuch Sum or Sums of Money in reſpect thereof, to be paid by any Perſon intereſted in the ſaid Lands and Grounds or any Part thereof, or by his or her Tenants, to any other Perſon intereſted therein, or his or her Tenants, as the ſaid Commissioners ſhall think reaſonable; and in caſe any Perſon who ſhall be directed to pay any ſuch Sum of Money ſhall neglect or reſuſe to pay the ſame on Demand, 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 this Act, and executing this and the ſaid recited Act, can or may be raiſed and levied; and if any Perſon ſhall act contrary to any ſuch Directions and Regulations of the ſaid Commissioners, he ſhall for every Offence forfeit and pay to the ſaid Commissioners ſuch Sum of Money, not exceeding Five Pounds for every Acre of the ſaid Lands and Grounds which ſhall be uſed or managed contrary to the ſaid Directions and Regulations, as the ſaid Commissioners, or any Juſtice of the Peace acting in and for the ſaid County ſhall order and direct; ſuch Penalties or Forfeitures to be recovered, levied, and applied in the ſame Manner, and by the ſame Ways and Means as any other Penalty or Forfeiture is by this Act directed to be recovered, levied, and applied.

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

XXXIX. And be it further enacted, That no Sheep or Lambs ſhall be kept in any of the Allotments to be made by virtue of this Act, (whereon any new Fence ſhall be raiſed), during the Space of Seven Years next after

after the Execution of the said Award, unless the Person keeping the same shall first at his or her own Expence make and maintain a sufficient Fence to guard and protect the new Fences of such Allotments from being hurt or damaged by such Sheep or Lambs, whether such Fences be made or planted by the Owner or Occupier of such Allotment or Allotments, or by the Owner or Occupier of the Allotment or Allotments adjoining thereto; and in case any Person or Persons shall keep any Sheep or Lambs in any such Allotment or Allotments, without raising and maintaining such Fences as aforesaid, it shall be lawful for the Owner or Occupier of any adjoining Allotment or Allotments to enter upon the Allotment or Allotments where such Sheep or Lambs shall be kept, and to take, drive away, and impound the same.

XL. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required, upon Application in Writing made to them for that Purpose, to ascertain, order, and direct what Sum or Sums of Money shall be paid by any Person or Persons to whom any of the Lands and Grounds hereby directed to be divided and allotted, shall be set out and awarded, or by his, her, or their Tenant or Tenants respectively, to any other Person or Persons by way of Recompence and Satisfaction, for the Benefit and Advantage accruing to the Person or Persons to whom such Lands and Grounds shall be allotted, or to his, her, or their Tenant or Tenants respectively, by reason of any ploughing, manuring, claying, underdraining, or improving of the same; and also what Sum or Sums of Money shall be paid by any Person or Persons interested in the said Division and Allotments, or his, her, or their Tenant or Tenants, to any other Person or Persons interested therein, or to his, her, or their Tenant or Tenants respectively, by way of Recompence and Satisfaction for any Loss or Disadvantage which he, she, or they may sustain by reason of any over-cropping, over-sowing, or usage of the said Lands and Grounds, or any Part thereof, contrary to the usual Course of Husbandry practised in the said County of *Norfolk*; and in case any Person who shall be directed to pay any such Sum or Sums of Money, shall neglect or refuse to pay the same on Demand, 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 the same Ways and Means as the Costs, Charges, and Expences of obtaining this Act, and executing this and the said recited Act, can or may be raised and levied.

Commissioners may make Satisfaction for improving and over-cropping Lands.

XLI. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, and of surveying, admeasuring, planning, and valuing the Messuages, Cottages, Lands, and Tenements within the said Parishes of *Longham, Kempston, Mileham, and Beeston next Mileham*, and of dividing and allotting the Lands and Grounds hereby or by the said recited Act authorized, directed, or intended to be divided and allotted, and the Costs, Charges, and Expences of inclosing and fencing the Allotments which shall by virtue of this Act be made to the Rectors of the said Rectories of *Mileham, and Beeston next Mileham*, and to the Vicar of the said Vicarage of *Kempston* respectively, in right of their respective Rectories and Vicarage, and of inclosing and fencing the Allotments which shall be made to the Surveyors of the Highways of the said Parishes of *Longham, Kempston, Mileham,*
[*Loc. & Per.*]

Directions for defraying the Expences of this Act.

and *Beeston* next *Mileham* respectively, and to the Trustees for the Poor in the said Parishes of *Mileham* and *Beeston* respectively, and of forming and making the public Roads and Ways which shall be set out by the said Commissioners, and which are by this and the said recited Act directed to be first formed and made, and for preparing and depositing the said Award, and all the Charges and Expences of the said Commissioners, their Assistants and Servants, and other Persons employed by them in and about the Premises, and all other Expences of carrying this and the said recited Act into Execution, whether the same shall be incurred before or after the Execution of the said Award, shall be borne, defrayed, and paid by the several Person and Persons, Body and Bodies Politic, Corporate or Collegiate, to whom any Allotment or Allotments shall be made by virtue of this or the said recited Act, (save and except the Surveyors of the Highways in the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beeston* next *Mileham* respectively, and the Trustees for the Poor in the said Parishes of *Mileham* and *Beeston* respectively, for the Time being, in respect of any Allotment or Allotments which shall be made to them respectively; and also save and except the said Rectors and Vicar respectively, in respect of any Allotments which shall be made to them in Right of their said Rectories and Vicarage respectively), in such Shares and Proportions as the said Commissioners shall in and by their said Award, or by any Writing under their Hands direct, order, and appoint.

Directions
for charging
Copyhold
Lands with
Expences.

XLII. And be it further enacted, That when and so often as it shall be necessary to charge any Messuages, Cottages, Lands, or Tenements, which shall be allotted or exchanged by virtue of this or the said recited Act, and which shall be ascertained and declared by the said Commissioners to be 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 executing this and the said recited Act, then and in every such Case the said Copyhold Messuages, Cottages, Lands or Tenements, shall be surrendered to the Use of the Person or Persons who shall advance or lend such Sum or Sums of Money, and his, her, or their Heirs and Assigns, according to the Custom of the Manor or Manors whereof the same shall be held, by Way of Mortgage, for securing such Sum or Sums of Money and Interest for the same, instead of being mortgaged, surrendered, or demised to such Person or Persons, his, her, or their Executors, Administrators or Assigns, for a Term of Years as mentioned in the said recited Act.

Power for
certain Per-
sons to sell
Part of their
Allotments
for defraying
Expences.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners, on Application in Writing made to them by the Husbands, Guardians, Trustees, Committees or Attornies of or for any of the said Proprietors or Persons interested in the Premises, being under Cover-
ture, Minors, Idiots, Lunatics, beyond the Seas, or under any other Dis-
ability, or by any of the said Proprietors or Persons interested, being
Tenant or Tenants in Tail, or for Life or Lives, or for Years determin-
able on a Life or Lives, or on any other Contingency or otherwise, (ex-
cept the said Rectors and Vicar for the Time being), to sell and dispose
of any Part or Parts of the Allotment or Allotments which shall be made
by virtue of this Act, to such incapacitated Persons, for the Purpose of
defraying his, her, or their Share or Proportion of the Costs, Charges
and

and Expences of obtaining and passing this Act, and of carrying this and the said recited Act into Execution, and also the Expences of inclosing, fencing and subdividing his, her, or their Allotment or Allotments, and of making and completing such Sale or Sales; and such Sale or Sales shall be made by the said Commissioners in the same Manner and subject to the same Rules and Regulations as are mentioned and prescribed in and by the said recited Act, with respect to the Sale of any Lands authorized to be sold for paying the Expences of obtaining and carrying into Execution any Act for dividing, allotting and inclosing any Lands and Grounds; and each and every Allotment for which the full Purchase Money shall be paid to the said Commissioners, shall be conveyed by such Commissioners by Lease and Release, or Bargain and Sale, or both, or either of the said Assurances, as the Case may require, at the Expence of the said Purchaser or Purchasers, unto and to the Use of, or in Trust for him, her, or them, and his, her, or their Heirs and Assigns respectively, or as he, she, or they shall appoint, and shall be inclosed and held by such Purchaser or Purchasers respectively in Fee Simple in Severalty, and discharged of all Commonable and other Rights thereon; and the Receipt of the said Commissioners shall be a good and sufficient Discharge to such Purchaser or Purchasers, for the Money therein expressed to be received by them; and the said Purchase Money shall be applied by the said Commissioners in or towards defraying such last-mentioned Costs, Charges and Expences; and such Purchaser or Purchasers shall not be liable to see to the Application or be answerable for any Misapplication or Non-application thereof; and if any Surplus of the said Purchase Money shall remain after answering the Purposes aforesaid, the same shall be applied and disposed of by the said Commissioners, in like Manner as is provided and directed by the said recited Act with respect to the Surplus of any Sum of Money paid for the Purchase or Exchange of any Lands, Tenements or Hereditaments, or of any Timber or Wood growing thereon, which ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses: Provided nevertheless, that it shall not be lawful to raise by such Sale or Sales any further or greater Sum of Money than the Person or Persons (Part of whose Allotment shall be so sold as aforesaid), would have been empowered or authorized to borrow, or charge upon his, her, or their Estate or Estates, under or by virtue of the said recited Act; nor shall it be lawful for the said Proprietor or Person from whose Allotment Land shall be deducted as aforesaid, to charge his, her, or their Lands, Tenements, or Hereditaments, by virtue of the said recited Act or this Act, with any Money towards Payment of such Expences.

XLIV. And be it further enacted, 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 in pursuance of this and the said recited Act.

Proprietors
and Agents
to pay their
own Ex-
pences.

XLV. And be it further enacted, That if any of the Proprietors or Persons interested in the Premises, or any other Person or Persons hath advanced, or shall advance and pay any Money in Discharge of the Fees or other Expences of obtaining this Act, or of executing this and the said recited Act, the Monies so advanced shall be repaid and satisfied by

Money ad-
vanced to be
repaid.

by the Direction of the said Commissioners, together with lawful Interest for the same.

Allowance to
Commis-
sioners.

XLVI. And be it further enacted, That each of the said Commissioners herein-before named, and to be appointed as aforesaid, shall be allowed and paid the Sum of Four Pounds and Four Shillings and no more, for every Day each of the said Commissioners shall attend and be employed at any Meeting or Meetings to be held by them in pursuance and Execution of this and the said recited Act, and in going to and returning from such Meeting or Meetings respectively; which said Sum of Four Pounds and Four Shillings *per Diem* shall include and be in Satisfaction of the Expence and Trouble which each of the said Commissioners shall incur in the Execution of the Powers given to them by this and the said recited Act.

Commission-
ers to lay their
Accounts be-
fore an Audi-
tor.

XLVII. 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 passing of this Act), until the Accounts herein-after mentioned shall be finally allowed, the said Commissioners shall and they are hereby required to make a true and just Statement or Account of all Sums of Money by them received and expended, or due to them for their own Trouble and Expences in the Execution of this Act; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by them referred to and laid before the Reverend *Thomas Crowe Munnings*, of *Hoe* next *East Dereham* aforesaid, Clerk; and in case of his Death, Refusal, or Incapacity to act, then before some Justice of the Peace acting in and for the said County of *Norfolk*, to be by the said *Thomas Crowe Munnings*, or by the said Justice, examined, and the Balance then appearing to be due shall be stated by the said *Thomas Crowe Munnings*, or by the said Justice, in the Book of Accounts to be kept at the Office of the Clerk of the said Commissioners; and no Charge or Item in such Account shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by the said *Thomas Crowe Munnings*, or by the said Justice.

Award to be
deposited
with the
Clerk of the
Peace.

XLVIII. And be it further enacted and declared, That within Six Calendar Months after the said Commissioners shall have made and executed their said Award, according to the Directions of this and the said recited Act, they shall cause the same Award, together with a reduced Map or Plan, Maps or Plans, of the said Parishes of *Longham*, *Kempston*, *Mileham*, and *Beepton* next *Mileham* thereto annexed, and signed by the said Commissioners, to be deposited in the Office of the Clerk of the Peace for the said County of *Norfolk*, who is hereby required, upon Payment of the Sum of Five Guineas, to receive and deposit the same with the Records of the said County, to the End that Recourse may be had thereto by any Person or Persons interested in the Premises, at all reasonable Times, for the Inspection and Perusal whereof the Sum of One Shilling, and no more, shall be paid; and the said Award, and such Map or Plan, Maps or Plans, thereto annexed, or a Copy thereof; or of any Part thereof, signed by the said Commissioners, or by the said Clerk of the Peace, or his Deputy, certifying the same to be a true Copy, shall at all Times be admitted and allowed in all Courts whatsoever

whatsoever as legal Evidence of the Matters and Things therein contained; and the said Clerk of the Peace and his Deputy for the Time being is, and are hereby required, upon the Request of any Person or Persons interested or claiming to be interested in the Premises, to make and deliver to such Person or Persons requiring the same, a true Copy of the said Award, or of any Part or Parts thereof, and to sign and certify the same to be a true Copy or Copies thereof, for which Copy and Copies no more shall be paid than Four-pence *per* Sheet, each Sheet containing Seventy-two Words; and the said Award, and the several Allotments, Partitions, Orders, Directions, Regulations, Matters and Things therein contained, shall from and after the Execution thereof, be and the same is and are hereby declared to be binding, final, and conclusive upon all and every Person and Persons interested in the Premises; and all Rights of Sheepwalk and Common of Pasture, and all other Commonable Rights and Interests whatsoever, in, over, and upon all the Lands and Grounds within the said several Parishes of *Longham, Kempston, Mileham, and Beeston* next *Mileham* respectively, shall from and after the Execution of the said Award, cease, determine, and be for ever extinguished, and the said Lands and Grounds shall for ever thereafter be held and enjoyed in Severalty by the respective Owners and Proprietors thereof.

XLIX. And be it further enacted, That a Copy of the said Award, written on Parchment, and signed and attested by the said Commissioners, together with a Plan annexed thereto, shall be deposited in the Parish Church of *Beeston* aforesaid.

A Copy of the Award to be placed in *Beeston* Church.

L. And be it further enacted, That if any Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, shall think himself, herself, or themselves aggrieved by any Thing done or omitted to be done by the said Commissioners, in pursuance of this or the said recited Act, (other than and except as to such Orders and Determinations of the said Commissioners as are herein and by the said recited Act declared to be final and conclusive, and except in such Cases where an Issue at Law shall be tried as herein-before mentioned), then and in every such Case, he, she, or they may appeal to the Justices at the General Quarter Session of the Peace which shall be held for the said County of *Norfolk*, within Four Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Commissioners, and to the Party or Parties concerned, Fourteen Days Notice in Writing of such Appeal, and of the Matter thereof; and the Justices (not interested in the Premises), at their said General Quarter Session are hereby required to hear and determine the Matter of every such Appeal, and to make such Order, and award such Costs and Damages, as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs and Damages which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) upon Demand to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress and Sale; and the Determination of the said Justices shall be final, binding, 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

Appeal to the Sessions.

at *Westminster*, or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious, or without sufficient Foundation, then the said Justices may award such Costs to be paid by the Appellant or Appellants as to them in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

General
Saving.

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

Printed Copy
to be admit-
ted in Evi-
dence.

LII. And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom, and a Copy thereof, so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1812.