ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS

Cap. 99.

An Act for inclosing Lands in the Parishes of *Burgh Castle* and *Herringfleet* in the County of *Suffolk*.

[5th *May* 1812.]

WHEREAS there are within the several Parishes of *Burgh Castle* and *Herringfleet*, in the County of *Suffolk*, divers Open Fields, and also certain Common Heaths, Marshes, Doles, and Waste Grounds: And whereas *Lydia Baret* is Lady of the Manor of *Burgh Castle*, and is or claims to be entitled to the Soil of the Commons and Waste Grounds in the said Parish of *Burgh Castle*, and *Anthony Merry* Esquire, and *Elizabeth* his Wife, are Lord and Lady, or one of them is Lord or Lady of the Manor of *Herringfleet* late Priory, and are or claim, or one of them is, and claims to be entitled to the Soil of the Commons and Waste Grounds in the said Parish of *Herringfleet*: And whereas the said *Lydia Baret*, *Anthony Merry*, and *Elizabeth* his Wife, *William Youell* Junior, *William Fisher*, *John Hanbury Williams*, *John Neslen*, and several other Persons, are Owners and Proprietors of the said Open Fields, and also of divers ancient commonable Messuages and Cottages, and Tofts (being the Sites of ancient commonable Messuages or Cottages), with the Lands, Tenements, and Appurtenances thereto belonging, within the said Parishes, and have in respect thereof a Right of Common, or are possessed of other Rights and Interests in, to, over, and upon the said Common Heaths, Marshes, Doles, and Waste Lands; and sundry of such Owners or Proprietors have or claim to have exclusive Rights of cutting Whins, Fern, and Heath upon certain Parts of the said Common Heaths, Marshes, Doles, and Waste Lands; and also Rights of Sheep-walk over the same or some Parts thereof: And whereas an Act was passed in the Forty-first Year of the Reign of

Lords of Manors.

Proprietors.

of His present Majesty, intituled, *An Act for consolidating in one Act certain Provisions usually inserted in Acts of Inclosure; and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts:* And whereas the said Open Fields lie very much intermixed and dispersed in small Parcels, and are inconveniently situated for the several Owners and Occupiers thereof, and the said Common Heaths, Marshes, Doles, and Waste Lands, in their present uncultivated State, yield very little Profit; but if the same were divided, and specific Parts or Shares thereof allotted to and amongst the several Persons entitled thereto, or having Right of Common thereon, or otherwise interested therein, according to their respective Estates, Rights, and Interests, and such Allotments inclosed and held in Severalty, and all Rights of Common in, over or upon the same extinguished, it would be of great Advantage to such Persons and of public Utility, but such Division, Allotment, and Inclosure cannot be effected 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 the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands shall be set out, divided, allotted, and inclosed in Manner hereinafter mentioned; and that *Henry Jermyn*, of *Sibton*, in the said County of *Suffolk*, Esquire, *Robert Boyden*, of *North Cove*, in the same County, Gentleman; and *Samuel Tolver*, of *Great Yarmouth*, in the County of *Norfolk*, Gentleman, and their Successors, to be elected in Manner hereinafter mentioned, shall be and they are hereby appointed Commissioners for setting out, dividing, allotting, and inclosing the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, and for putting this Act in Execution, in the Manner, and subject to the Rules, Orders, and Directions herein contained, and also subject to the Powers and Provisions of the said recited Act, except where the same are hereby varied and altered: Provided always, that all Powers, Authorities, Directions, Acts, Matters, and Things thereby or hereby vested in them, or authorized or directed to be done or executed by or before the said Commissioners, may be done and executed by or before any Two of them, and the same shall be as valid and effectual as if done and executed by or before all the said Commissioners.

Advantage to inclose.

Open Fields and Commons to be inclosed.

Appointment of Commissioners.

Two Commissioners may act.

II. And be it further enacted, That if any of the said Commissioners shall refuse or become incapable to act in the Execution of the Powers hereby vested in him or them, or shall die before all the Powers and Authorities reposed in the said Commissioners shall be fully executed and performed, it shall be lawful for the remaining or surviving Commissioners or Commissioner, and they and he are and is hereby required by Writing under their Hands and Seals, or his Hand and Seal, from Time to Time within the Space of Thirty Days next after the Refusal, Incapacity, or Death of any such Commissioner or Commissioners to appoint another Person not interested in the said intended Division, Allotment, and Inclosure, to be a Commissioner in the Room of every such Commissioner so refusing or becoming incapable to act or dying; and every Commissioner so to be appointed shall have the like Power and Authority to execute this Act and the said recited Act as the Commissioner whom he shall succeed was vested with.

Election of new Commissioners.

III. And be it further enacted, That out of the Monies that shall be raised for defraying the Expences of obtaining this Act, and of carrying the same and the said recited Act into Execution, there shall be paid to each of the said Commissioners as a Recompence for his Pains and Trouble, the Sum of Four Pounds and Four Shillings, and no more, for every Day he shall be employed in travelling to, attending at, or returning from the Meetings to be held for the Execution of this Act and the said recited Act. Allowance to Commissioners.

IV. And be it further enacted, That all Notices and Advertisements necessary or requisite to be made and given by the said Commissioners, and not hereinafter, or by the said recited Act otherwise directed, shall be made and given by Advertisement in the *Ipswich Journal*, or if that Paper shall not be published, then in some other public Newspaper to be circulated in the said County of *Suffolk*. Directing how Notices shall be given.

V. And be it further enacted, That the said Commissioners shall and they are hereby required to give or cause to be given public Notice in the several Parish Churches of *Burgh Castle* and *Herringfleet* aforesaid, upon some *Sunday* immediately after the Time of Divine Service, or by Advertisement to be inserted in the *Ipswich Journal* or some other public Newspaper to be circulated in the said County of *Suffolk*, of the Time and Place of the First and every other Meeting for executing the Powers hereby vested in them Ten Days at least before every such Meeting, (Meetings by Adjournment only excepted); and that it shall be lawful for the said Commissioners at any of their Meetings to be holden in pursuance of this and the said recited Act, from Time to Time, as they shall find it convenient, to continue such Meetings by Adjournment; provided that if at any Meeting appointed to be holden as aforesaid, it shall happen that only One of the said Commissioners shall attend, such Commissioner may adjourn such Meeting to any future Day he shall see most convenient, giving due Notice to the others or other of the said Commissioners, and so from Time to Time as often as there shall be occasion, until Two or more of the said Commissioners shall be present. Notice of Meetings. One Commissioner may adjourn.

VI. And be it further enacted, That all Meetings of the said Commissioners for putting this Act into Execution, shall be held within the Distance of Eight Miles from the said Parishes of *Burgh Castle* and *Herringfleet*; and that the Proprietors interested in the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, and all Persons claiming to be interested therein, shall pay their own Expences, and the Charges and Expences of their Agents, Attornies, and Witnesses, when they shall attend the said Commissioners at any of their said Meetings. Where Meetings to be held. Proprietors to pay their own Expences.

VII. And be it further enacted, That if any Claim of Right of Common, or other Right or Interest in or to the said Common Heaths, Marshes, Doles, and Waste Lands intended to be divided, allotted, and inclosed by virtue of this Act, shall, by Writing to be delivered to the said Commissioners at such Time as shall be by them appointed for that Purpose in pursuance of the said hereinbefore recited Act, be objected to by any Person or Persons claiming to be interested in the said Common Heaths, Marshes, Doles, and Waste Lands, and the Party or Parties making such Claim shall persist therein, then the said Commissioners shall, and they Disputed Claims to be heard, and determined by the Commissioners.

are

are hereby required at a Meeting to be by them held for that Purpose, of which they shall give public Notice at least Ten Days before the Time of holding the same, by Examination of Witnesses upon Oath, and by such other Evidence, Ways, and Means as they shall think proper to hear and determine the Matter of every such Claim so made and objected to, and persisted in as aforesaid; but that nothing herein contained shall authorize the said Commissioners to determine the Title to any Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever.

Power to assess Costs.

VIII. And be it enacted, That the said Commissioners shall, and they are hereby empowered and required to assess such Costs and Charges as they shall think reasonable to be paid to the Party or Parties in whose Favour any such Determination shall be made by the Party or Parties against whom the same shall be made, and the same shall be paid within such Time as the said Commissioners shall appoint; and if any Person or Persons shall neglect or refuse to pay such Costs and Charges within Ten Days next after Demand thereof made, the same shall and may be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing, by Warrant under the Hands and Seals of the said Commissioners, which Warrant the said Commissioners are hereby empowered and required to grant, upon Proof, on Oath, of such Neglect or Refusal, and of such Demand as aforesaid; and the Overplus (if any) after the Charges of levying the same shall have been deducted, shall be returned on Demand to the Owner of such Goods and Chattels.

Persons dissatisfied may try Claims at Law.

IX. Provided always, and be it further enacted, That in case any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, interested or claiming to be interested in the said intended Division, Allotment, and Inclosure, shall be dissatisfied with any Determination of the said Commissioners, touching or concerning any Claim or Claims of Common or other Rights, or Interests in, to, over, or upon the said Common Heaths, Marshes, Doles, and Waste Lands hereby directed to be divided, allotted, and inclosed, or any Part thereof, then and in every such Case it shall and may be lawful to and for such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to try such Claims at Law at the next or at the following Assizes to be holden for the said County of *Suffolk*, next after such Determination, first giving Fourteen Days Notice to the said Commissioners, or their Clerk, of his, her, or their Intention to bring such Action, and for that Purpose the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall be dissatisfied with the Determination of the said Commissioners, shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Three Calendar Months after such Determination of the said Commissioners; and the Defendant or Defendants in such Action is and are hereby required forthwith to appear to such Action, accept a Declaration, and plead to Issue (such Issue to be settled by the proper Officer of the Court in which the said Action shall be commenced, in case the Parties shall differ about the same); and the Verdict or Verdicts which shall be given in such Action or Actions shall be final, binding and conclusive upon all and every Person and Persons whomsoever, Body and Bodies Politic, Corporate, or Collegiate, unless the Court wherein such Action or Actions shall be brought,

shall

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 that after ſuch Verdict or Verdicts ſhall have been obtained and not ſet aſide by the Court, the ſaid Commiſſioners ſhall, and they are hereby required to act in Conformity thereto, and to allow or diſallow the Claim or Claims thereby determined, according to the Event of ſuch Trial or Trials.

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

XI. Provided always, and be it further enacted, That all ſuch Orders and Determinations of the ſaid Commiſſioners as ſhall have been made as aforeſaid, with reſpect to ſuch Claims touching 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 this Act contained to the contrary notwithſtanding. Determination of the Commiſſioners to be final unleſs Parties proceed at Law.

XII. 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 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, 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 Clerk of 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. In caſe of Death of Parties before Actions brought.

XIII. 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 ſince the Year One thouſand ſeven hundred and eighty-two); but in caſe the ſaid Commiſſioners ſhall be of Opinion, againſt the Right of the Perſon or Perſons ſo in Poſſeſſion, they ſhall forbear to make any Determination thereupon, until the Poſſeſſion ſhall have been given up or recovered from ſuch Perſon or Perſons by Ejectment, or other due Courſe of Law. Right of Poſſeſſion of Perſons not to be determined by Commiſſioners.

XIV. And be it further enacted, That it ſhall not be lawful for any Perſon or Perſons whomſoever, from and after the paſſing of this Act until the Execution of the Award of the ſaid Commiſſioners, to cut, dig, pare, grave, To prevent breaking the Soil of the Commons

without Leave.

grave, break up, flay, or carry away the Turf, Flags, or Soil upon or from off the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, or any Part thereof, or to fell, lop, top, cut down, take, or carry away any Shrubs, Buſhes, Thorns, Ling, Furze, or Whins growing thereon, without the Licence or Conſent of the ſaid Commiſſioners, in Writing under their Hands, firſt had and obtained, (which Licence or Conſent the ſaid Commiſſioners are hereby empowered to grant, under ſuch Rules, Orders, Regulations, and Reſtrictions as they ſhall think proper to inſert therein); and if any Perſon or Perſons ſhall after the paſſing of this Act, and before the Execution of the ſaid Award, cut, dig, pare, grave, break up, flay, or carry away any Turf, Flags, or Soil from any Part of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, or fell, lop, top, cut down, take, or carry away any Shrubs, Buſhes, Thorns, Ling, Furze, or Whins growing or being in or upon the ſame, without ſuch Licence or Conſent as aforeſaid, or having obtained ſuch Licence or Conſent, ſhall act in any Manner contrary thereto, or to the Rules, Orders, Regulations, and Reſtrictions therein contained; every ſuch Perſon being convicted thereof, either by his, her, or their own Confeſſion, or upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace acting in and for the ſaid County of *Suffolk*, not being intereſted in the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, (and which Oath or Oaths ſuch Juſtice is hereby authorized to adminiſter, and to ſummon the Perſon or Perſons complained of, and examine ſuch Witneſs or Witneſſes relating to the ſaid Complaint,) ſhall for every ſuch Offence forfeit and pay ſuch Sum of Money as the ſaid Juſtice ſhall direct, not exceeding Five Pounds, to be applied by the ſaid Commiſſioners for the Purpoſes of this Act; and it ſhall be lawful for ſuch Juſtice, by Warrant under his Hand and Seal, directed to any Perſon or Perſons whomſoever, to cauſe the ſaid Penalty or any other Penalty incurred under this Act, to be raiſed and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons offending (Demand having been firſt made thereof) rendering the Overplus (if any) after deducting the Charges of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels.

Power to ſhorten Boundary Fences.

XV. And be it further enacted, That in order to ſhorten the Boundary Fences between the Lands and Grounds by this Act directed to be divided, allotted, and incloſed, and any adjoining Pariſh or Pariſhes, it ſhall and may be lawful to and for the ſaid Commiſſioners, with the Conſent in Writing under the Hand or Hands of the Lord or Lords, Lady or Ladies of the Manor or Manors, or Owner or Owners of the Soil, and under the Hands of the major Part in Value, according to the Land Tax Aſſeſſment, of the Land Owners in any Pariſh or Pariſhes intereſted in any Commons or Waſte Grounds adjoining to the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet*, and alſo under the Hand or Hands of the Owner or Owners of any adjoining Lands upon which ſuch Fence or Fences are intended to be made, to ſet out and aſcertain the Boundary Fences to be made between the ſaid Commons and Waſte Grounds adjoining to the Lands and Grounds hereby intended to be divided and allotted in ſuch Manner as they ſhall judge proper for the Purpoſes aforeſaid; and after ſuch Boundary Fences ſhall be ſet out and aſcertained 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 order and direct in and

by

by their Award, and shall for ever thereafter be and be deemed and taken to be the Boundaries between the said several Parishes of *Burgh Castle* and *Herringfleet*, and such adjoining Parish or Parishes as aforesaid, any Law, Usage, or Custom to the contrary notwithstanding.

Encroachments since 1782 to be deemed Part of the Land to be allotted.

XVI. And be it further enacted, That all Encroachments which have been made upon the said several Common Heaths, Marshes, Doles, and Waste Lands hereby intended to be divided and inclosed, at any Time since the Year One thousand seven hundred and eighty-two, shall be deemed Part of the Lands to be divided and allotted by virtue of this Act, save and except such Parts thereof as have been inclosed by virtue of a Licence in Writing under the Hand of the Lord or Lady of any of the said several Manors: but no Person or Persons in Possession of any Land which has been so inclosed from the said Common Heaths, Marshes, Doles, and Waste Lands, within the Time aforesaid shall be entitled to any Allotment in respect thereof, under or by virtue of this Act; and in case any Dispute shall arise touching any such Encroachments, or the Extent thereof, every such Dispute shall be finally terminated by the said Commissioners.

Power to sell Encroachments where Buildings are erected to the Owners.

XVII. And be it further enacted, That in case any Cottages, Huts, or other Buildings shall have been erected upon any Part of the said Common Heaths, Marshes, Doles, or Waste Lands, or upon any Encroachments which shall have been made thereon at any Time since the Year One thousand seven hundred and eighty-two, without such Licence as aforesaid, then the said Commissioners are hereby authorised and empowered, in case they shall think fit, to make, sell, and dispose of such Encroachments whereon such Cottages, Huts, or other Buildings shall stand, or such other Parts of the said Common Heaths, Marshes, Doles, and Waste Lands, in lieu thereof, as they the said Commissioners shall think most proper and convenient, (not exceeding the Quantity or Value of such Encroachments respectively) to the Owners of such Cottages, Huts, or other Buildings, or any of them respectively, at such Price or Prices, to be paid as after mentioned, as they the said Commissioners shall deem fair and reasonable, and in and by their Award to set out, allot, and convey the same to such Purchaser or Purchasers, his, her, or their Heirs accordingly, and the Monies arising from such Sale or Sales shall be applied in and towards the Payment of the Expences attending the passing and executing this Act: Provided always, that if any Surplus Money shall remain after the Payment of such Expences as aforesaid, such Surplus shall be divided and apportioned between the several Proprietors and Persons interested in the said Lands and Grounds, in such Shares as shall be in Proportion to their respective Property and Interest therein, and the Shares of such of them as shall be Tenants in Fee Simple shall be paid to them respectively; and the Shares of the other Proprietors and Persons of and in such Surplus Money shall be applied and disposed of in Manner directed by the said recited Act in those Cases where any Money is to be paid for the Purchase or Exchange of any Lands, Tenements, or Hereditaments, or of any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the same Uses; but if the Owner or Owners of any such Cottages, Huts, or other Buildings shall refuse to purchase their respective Encroachments, or such other Parts of the said Common Heaths, Marshes,

Marshes, Doles, and Waste Lands in lieu thereof, at the Discretion of the Commissioners as they shall think most proper and convenient, not exceeding the Quantity or Value of such Encroachments as aforesaid, for the Price or Sum which the said Commissioners shall value the same at, or shall refuse or neglect to pay the respective Purchase Monies thereof, at such Time and Place, and to such Person or Persons as the said Commissioners shall for that Purpose at any Time before the Execution of their Award, by any Writing under their Hands direct, then and in such Case it shall and may be lawful to and for the said Commissioners to pull down or cause to be pulled down such Buildings respectively, and convert the Materials thereof for the general Purposes of this Act.

Commissioners may stop up old Roads after new ones are made

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered with the Concurrence and Order of Two Justices of the Peace for the said County of *Suffolk*, acting in and for the Division in which the Road or Roads, Footpath or Footpaths hereinafter mentioned shall be situate, and not interested in the Repair of such Road or Roads, Footpath or Footpaths, to stop up, and direct to be discontinued any public Road or Roads, Footpath or Footpaths through any Part or Parts of the Lands or Grounds in the said several Parishes of *Burgh Castle* and *Herringfleet*, or either of them, which to the said Commissioners shall appear to be useless or unnecessary: Provided always, that such Order so to be made, shall be subject to an Appeal to the Quarter Sessions in like Manner, and under the same Provisions and Restrictions as if the same had been originally made by such Justices as aforesaid; Provided also, that none of the present Roads or public Highways within the said Parishes of *Burgh Castle* and *Herringfleet*, or either of them, shall be shut up or discontinued until the Roads intended to remain Public Highways within the said several Parishes shall be set out according to the Directions of the said recited Act, and the same shall be properly formed, and made safe and convenient for Horses, Cattle and Carriages.

Ditches to be cleansed.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners to cause any Ditches, Fences, Drains, Brooks, or Watercourses, within the said several Parishes of *Burgh Castle* and *Herringfleet* to be cleansed, opened, scoured, widened, deepened, or enlarged, and also to cause any new Ditches, Fences, Bridges, Drains, Brooks, or Watercourses to be made within the said several Parishes, and to make such Orders for maintaining such Ditches, Fences, Bridges, Drains, Brooks, or Watercourses in repair as they shall think proper; provided, that no such Works shall be made upon any inclosed Lands, without the previous Consent of the Owner or Owners thereof, testified by Writing under his, her, or their Hands; and that no such Brooks or Watercourses shall be diverted or turned without the Consent in Writing of the Owner or Owners of any inclosed Land, from which any such Brooks or Watercourses shall be diverted or turned, or into which the same shall be intended to be carried or conveyed.

No Cattle to be depastured in the Highways for 14 Years.

XX. And be it further enacted, That no Person or Persons shall graze or keep any Sort of Cattle or Swine whatsoever, in or upon any Part of the public Roads or Ways which the said Commissioners shall order and direct to be set out and fenced on both Sides, for the Space of Fourteen

Years next after the making and executing of their Award, under the Penalty not exceeding Forty Shillings, for every Bullock, Cow, Horse, Ass, Sheep, Lamb, Head of Swine, or other Beast which shall be found therein, to be paid to the Person or Persons who shall take and impound the same; and every Proprietor or Occupier of Lands and Tenements within any of the said several Parishes, and their and every of their Servants, and Labourers is and are hereby empowered to take and impound every such Bullock, Cow, Horse, Ass, Sheep, Lamb, Head of Swine, or other Beast, which shall be to found grazing as aforesaid, at any Time or Times after any live Fences shall have been made or planted next the said Roads or Ways so fenced off as aforesaid, before the Expiration of the said Term of Fourteen Years.

XXI. And be it further enacted, That the said Commissioners shall after they have set out and appointed the Public Carriage Roads and Highways in, through, over, and upon the said Open Fields intended to be divided, allotted, and inclosed, assign, set out and allot all the said Open Field Lands unto and amongst the several Owners and Proprietors thereof, and all and every other Person or 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 Satisfaction and Compensation to him, her, or them respectively, for his, her, or their respective Parts and Shares, of and in such Lands, and his, her, or their respective Rights and Interests therein. **Allotment of Open Fields.**

XXII. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and required to set out and allot such Parts or Parcels of the Common Heaths, Marshes, Doles, and Waste Lands hereby intended to be divided and inclosed, as they shall think fit, in each of the said several Parishes of *Burgh Castle* and *Herringfleet* aforesaid, as and for Public Watering Places for Cattle, and as and for Public Clay, Gravel, and Sand Pits, with convenient Roads to and from the same, to be used by the Proprietors of Lands and Estates in the said several Parishes respectively, and their respective Tenants, as well for their own necessary Uses within the said Parishes only, in such Manner and under such Rules and Regulations as the said Commissioners shall by their Award direct or appoint, as in common for the Repairs of the Public and Private Roads within the same Parishes; and that such Allotments shall be vested in the Surveyors of the Highways of the said several Parishes of *Burgh Castle* and *Herringfleet* aforesaid respectively, in trust for the Purposes aforesaid; and it shall be lawful for them from Time to Time to let the said Allotments for Clay, Gravel, and Sand Pits (subject to such Right of taking Clay, Gravel, and Sand therefrom) for the best Rents that can be gotten for the same, and to apply the Profits thereof towards the Repairs of the Public Roads and Ways within the said several Parishes respectively. **Allotment for Watering Places, Clay, Gravel, and Sand Pits.**

XXIII. And be it further enacted, That the said Commissioners, after they shall have set out the Public Roads and Ways, and Private Roads, Watering Places, Clay, Gravel, and Sand Pits, shall in the next Place assign, set out, and allot unto the Lord or Lords, Lady or Ladies of the said **Allotment to the Lords for Right of Soil.**

several Manors, or to such of them respectively as may be entitled to the Soil of the said Common Heaths, Marshes, Doles, and Waste Lands hereby intended to be divided, allotted, and inclosed, according to their several and respective Rights and Interests therein, so much and such Part and Parts of the Residue of the said Common Heaths, Marshes, Doles, and Waste Lands respectively in each of the said several Parishes of *Burgh Castle* and *Herringfleet*, as in the Judgment of the said Commissioners shall be equal in Value to One-seventeenth Part thereof; and such Allotment or Allotments shall be in full Compensation, Recompence, and Satisfaction to such Lord or Lords, Lady or Ladies of the said several Manors, for his, her, or their respective Rights and Interests in and to the Soil of the said Common Heaths, Marshes, Doles, and Waste Lands.

Allotment for the Poor.

XXIV. And be it further enacted, That the said Commissioners shall also assign, set out, and allot unto the Lord or Lords, Lady or Ladies of the said several Manors, or to such of them respectively as shall or may be entitled to the Soil of the said Common Heaths, Marshes, Doles, and Waste Lands in each of the said several Parishes of *Burgh Castle* and *Herringfleet* respectively, and to the Rector, Churchwardens, and Overseers of the Poor of the said several Parishes for the Time being, and to their respective Successors, for the Use and Benefit of the poor Persons residing with the said several Parishes of *Burgh Castle* and *Herringfleet* respectively, such Part or Parts of the said Common Heaths, Marshes, Doles, and Waste Lands hereby intended to be divided, allotted, and inclosed as the said Commissioners shall think fit, provided that the Quantity so to be assigned, set out, and allotted in either of the said several Parishes shall not exceed the Proportions following; (that is to say,) in the Parish of *Burgh Castle* not exceeding in Value Ten Acres of the Average Value of the Common Heaths, Marshes, Doles, and Waste Lands within the said Parish of *Burgh Castle*, and in the Parish of *Herringfleet* not exceeding in Value Eight Acres of the Average Value of the Common Heaths, Marshes, Doles, and Waste Lands within the said Parish of *Herringfleet*; which said several Allotments when set out shall be, and the same shall be deemed to be vested in such Lord or Lords, Lady or Ladies as aforesaid, and the Rector, Churchwardens, and Overseers of the Poor of each of the said Parishes respectively for the Time being for ever, upon Trust that they the said Lord or Lords, Lady or Ladies, Rector, Churchwardens, and Overseers of the Poor of the said several Parishes respectively, and their Successors for the Time being, or the major Part of them shall, and they or the major Part of them are hereby authorised and required, by any Deeds or Writings under their respective Hands and Seals or otherwise, from Time to Time, to demise and let the said Lands so to be allotted to them respectively as aforesaid, or any Part or Parts thereof, by Public Auction (of which Auction One Month's public Notice shall be given upon a *Sunday* in the Parish Church of each of the said several Parishes respectively, immediately after Divine Service) to any Person or Persons whomsoever, for any Term or Number of Years they shall think proper, not exceeding Twenty-one Years, so that in every such Lease there be reserved and made payable to the said Trustees for the Time being, or the major Part of them, by Two equal Half-yearly Payments in every Year, the best and most improved yearly Rent or Rents that can be reasonably obtained for the

the ſame, without taking any Income, Fine, Premium, or Foregift, in conſideration of granting ſuch Leaſe or Leaſes, and ſo that in all ſuch Leaſes there be contained the uſual Covenants and Stipulations between Leſſors and Leſſees, and ſuch other Covenants, Stipulations, and Agreements, and ſuch Security for the Performance of the ſame as the ſaid Truſtees, or the major Part of them, ſhall think proper to be inſerted therein; and all ſuch Deeds and Writings ſhall be good and valid in the Law, and the Rents and Profits ariſing from ſuch Lands ſhall from Time to Time be paid to the ſaid Truſtees of the Poor of each of the ſaid ſeveral Pariſhes for the Time being, and be by them applied for the Uſe and Benefit of ſuch poor Inhabitants in the Purchaſe of Coals or other Fuel, to be diſtributed to them in ſuch Proportions and Quantities, at ſuch Time and in ſuch Manner in every Year, and according to ſuch Rules and Orders as the ſaid Truſtees for the Time being of each of the ſaid ſeveral Pariſhes reſpectively, or the major Part of them for the Time being, ſhall think moſt beneficial: Provided always, that in caſe the Rents and Profits of any or all of ſuch Allotments in either or both of the ſaid ſeveral Pariſhes ſhall at any Time or Times be more than ſufficient to anſwer the Purpoſes for which the ſame is or are hereby directed to be ſet out, then and ſo often it ſhall be lawful for the ſaid Truſtees for the Time being, or the major Part of them, (in ſuch of the ſaid Pariſhes wherein the ſame ſhall happen) to apply and diſpoſe of the Overplus of ſuch Rents and Profits for the Relief and Benefit of the Poor of the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet* reſpectively, in ſuch Manner as they ſhall think proper; provided always, that it ſhall and may be lawful to and for the Lord or Lords, Lady or Ladies of the ſaid ſeveral Manors Truſtees as aforeſaid, and the ſaid Rector reſpectively for the Time being, to act in the Execution of the Truſts hereby repoſed in them as aforeſaid (except the ſigning and executing of any Leaſe to be by them made) by their Agents or Proxies reſpectively to be appointed in Writing under their reſpective Hands.

XXV. And be it further enacted, That after all the Allotments hereinbefore mentioned ſhall be made, the ſaid Commiſſioners ſhall then aſſign, ſet out, and allot all the Reſidue and Remainder of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands unto and amongſt the ſeveral Perſons, and the ſeveral Body or Bodies Politic, Corporate, or Collegiate intereſted therein at the Time of ſuch Diviſion, Allotment, and Incloſure, according to their reſpective Rights of Common, and other Rights and Intereſts in, to, over, and upon the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands ſo to be divided and incloſed as aforeſaid (other than and except ſuch Rights and Intereſts for which a Compenſation is hereinbefore directed to be made as aforeſaid), in ſuch Shares and Proportions as the ſaid Commiſſioners ſhall adjudge and determine to be proportionate to the Value of and in full Satisfaction and Compenſation 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 or Intereſts therein, ſubject to the Rules, Orders, and Regulations of this Act and the ſaid recited Act: Provided always, that all ſuch Owners and Proprietors of Lands and Grounds lying in the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet*, who ſhall prove to the Satisfaction of the ſaid Commiſſioners an Exerciſe of a Right of Common in reſpect of ſuch Lands or Grounds, previous to the Year One

Allotment of the Reſidue.

thouſand

thousand seven hundred and eighty-two, in, over, and upon any of the said Common Heaths, Marshes, Doles, and Waste Lands so intended to be divided, allotted, or inclosed in the said several Parishes, and who shall deliver in their Accounts or Claims in Manner prescribed by the said recited Act, shall be deemed to be entitled to a Right of Common of Pasture upon the said Common Heaths, Marshes, Doles, and Waste Lands, lying in the said several Parishes respectively in which such Lands or Grounds shall be respectively situated.

Allotment for Houses not to be affected on account of the Persons being entitled to the Soil.

XXVI. Provided always, and be it enacted, That the Right of the said *Lydia Baret*, *Anthony Merry* and *Elizabeth* his Wife, or any other Person or Persons, to an Allotment or Allotments of the said Commons and Waste Grounds in the said several Parishes of *Burgh Castle* and *Herringfleet*, for or in respect of his, her, or their Houses or Lands in the said several Parishes of *Burgh Castle* and *Herringfleet*, shall not in any Manner be prejudiced or affected by or on account of the said *Lydia Baret*, *Anthony Merry*, and *Elizabeth* his Wife, or such other Person or Persons being entitled to the Soil of the said Commons and Waste Grounds, in the said several Parishes of *Burgh Castle* and *Herringfleet*, or any Part thereof; or of such Houses or Lands, or any of them being or at any Time heretofore having been the Property of the Person or Persons who is, are, hath, or have been the Owner or Owners of the Soil of the said Commons and Waste Grounds, or any Part thereof, but that the said *Lydia Baret*, *Anthony Merry*, and *Elizabeth* his Wife, and all such Owners and Proprietors of Houses or Lands in the said Parishes of *Burgh Castle* and *Herringfleet*, as shall prove to the Satisfaction of the said Commissioners the Exercise of Rights of Common, in respect of such Houses or Lands in, over, or upon the said Commons and Waste Grounds, and who shall deliver in their Accounts or Claims in Manner prescribed by the said recited Act, shall be deemed to be entitled to the Right or Rights of Common, the Exercise whereof shall be so proved in the same Manner as such Person or Persons would have been in case such Houses or Lands had never been the Property of the Person or Persons entitled to the Soil of the said Commons and Waste Grounds.

Disputes to be settled by the Commissioners.

XXVII. And be it further enacted, That in case any Dispute or Difference shall arise between any of the Parties, touching the respective Shares and Proportions of the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands, hereby intended to be set out, divided, allotted, and inclosed, which they or any of them are entitled to or ought to have in lieu of their Rights of Common, or other Rights or Interests in, to, over, or upon the same, it shall be lawful for the said Commissioners to examine into, hear and determine the same.

Commissioners to exhibit a Schedule of the intended Allotments.

XXVIII. Provided always, and be it further enacted, That when the said Commissioners shall have set out the several and respective Allotments to the said Owners and Proprietors respectively of the said Open Fields, Common Heaths, Marshes, Doles, and Waste Lands to be set out, divided, and allotted by virtue of this Act, they the said Commissioners shall give Notice in such Manner as is hereinbefore directed with respect to their Meetings, of some convenient Time and Place, when and where all Persons interested may peruse a Schedule of such intended Allotments, and may take a Copy of such Schedule, or any Part thereof; and in

in regard that ſome Perſon or Perſons may be diſſatisfied with their intended Allotments the ſaid Commiſſioners ſhall give Notice as aforeſaid of a Meeting to be held by them for receiving Complaints or Objections to ſuch intended Allotments, and for hearing and determining ſuch Complaints and Objections; and the Determination of the ſaid Commiſſioners as to ſuch Allotments ſhall be final, binding, and concluſive upon all Parties and all Perſons intereſted therein.

For laying Allotments conveniently.

XXIX. And be it further enacted, That in making the ſeveral Allotments aforeſaid the ſaid Commiſſioners ſhall have due regard, as well to the Quantity and Quality of the ſaid Lands and Grounds ſo to be ſet out, divided, allotted, and incloſed as aforeſaid, as to the Situation and Contiguity of the ſame to the reſpective Habitations, Meſſuages, Barns, and other Property of the ſaid Parties to or for whoſe Uſe ſuch Lands or Grounds ſhall reſpectively be aſſigned and allotted.

In caſe any Perſon ſells his Common Right, the Allotment to be made to the Purchaſer.

XXX. And be it further enacted, That if any Perſon or Perſons ſhall or may have ſold, or at any Time before the Execution of the Award of the ſaid Commiſſioners ſhall ſell his, her, or their Right of Common Intereſt, or other Rights, or any Part thereof, in, over, or upon the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands to any Perſon or Perſons whomſoever, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and required (on receiving the Contract, or Agreement, or Memorandum thereof in Writing, ſigned by every ſuch Vendor and Vendee of ſuch Sale, at a Meeting of the ſaid Commiſſioners to be appointed for that Purpoſe) to make the Allotment of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands unto the Vendee or Purchaſer under ſuch Sale, or to his, her, or their Heirs or Aſſigns, for and in reſpect of the Eſtate under which the Vendor claims ſuch Right of Common Intereſt and other Rights, or ſuch Parts thereof ſo ſold as aforeſaid; and every ſuch Vendee or Purchaſer, and his or her Heirs or Aſſigns ſhall and may, from and after the Execution of the ſaid Award, hold and enjoy the Lands ſo to be allotted to him or her as aforeſaid, in the ſame Manner, ſubject to the ſame Incumbrances and to all Intents and Purpoſes as the Vendor in every ſuch Sale might, could, or ought to have held and enjoyed the ſame, in caſe ſuch Sale had not been made, or ſuch Right of Common Intereſt or other Right had ſtill remained veſted in ſuch Vendor at the Time of making ſuch Allotment as aforeſaid.

Allotments for Copyhold or Leaſehold Premiſes, to be of the ſame Tenure; other Allotments to be Freehold.

XXXI. And be it further enacted, That all ſuch Part and Parts of the ſaid Open Field Lands or Grounds, as ſhall be aſſigned, ſet out, and allotted by virtue of this Act to any Perſon or Perſons, for or in reſpect of any Open Field Lands or Grounds holden of any Manor or Manors, by Copy of Court Roll or for or in reſpect of any Leaſehold, Open Field Lands or Grounds, and alſo all ſuch Part or Parts of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands as ſhall be aſſigned, ſet out, or allotted, for or in reſpect of any Right of Common or other Right or Intereſt appurtenant to any Meſſuages, Cottages, or Tofts, Lands, Tenements, or Hereditaments which are holden by Copy of Court Roll of any Manor or Manors or which are Leaſehold, ſhall from and after the Execution of the Award of the ſaid Commiſſioners be deemed and taken to be Copyhold and Leaſehold reſpectively, according to the Tenure of the Meſſuages,

Cottages, or Tofts, Lands, Tenements, Open Fields, Lands, Grounds, and Hereditaments, for or in respect of which they shall be so assigned, set out, or allotted, and shall be held accordingly by and under the same Tenure, and subject to the same Rents, Payments, Fines, Customs, and Services as the Copyhold or Leasehold Messuages, Cottages, or Tofts, Open Field Lands, Grounds, or Hereditaments respectively for or in respect whereof any such Allotment shall be made, are now holden; and the said Commissioners shall, in and by their said Award, ascertain the Quantities of and determine, describe, and abut the said several Lands and Grounds which are so to be and remain Copyhold or Leasehold respectively as aforesaid, and all other the Lands and Grounds to be assigned, set out or allotted by virtue of this Act, (save and except such as shall be so ascertained by the said Commissioners to be Copyhold or Leasehold respectively), shall from thenceforth be deemed, taken, and enjoyed as Freehold Lands and Grounds, subject nevertheless to such Free Rents and Services as are now payable out of the respective Messuages, Lands, Tenements, or Hereditaments, for or in respect whereof the same shall or may be allotted; and that all and every Person or Persons to whom such Copyhold Allotments shall be made as aforesaid shall, within the Space of Six Calendar Months next after the Execution of the said Award, or at the first General Court Baron to be holden for each of the said several Manors next after the Expiration thereof, be admitted Tenants to the same respectively; and in case the Person or Persons to whom such Copyhold Allotment or Allotments shall be made as aforesaid, any or either of them shall have been before admitted thereto or to the Messuages, Cottages, or Tofts, Open Field Lands, Grounds, or Hereditaments in respect whereof the same shall have been made, no Fine or other Charge shall become payable to the Lord or Lords, Lady or Ladies, or to the Stewards of any of the said several Manors, (save and except the Stamp Duties and Parchment requisite to be used for the Copies of such Admissions and the accustomed Fees to the respective Steward or Stewards of the said Manor or Manors); but in case any such Person or Persons as aforesaid, to whom any such Copyhold Allotment or Allotments shall be made as aforesaid, shall refuse or neglect to be admitted thereto within the Time aforesaid, or shall not have been before admitted to the same, or to the Messuages, Cottages, or Tofts, Open Field Lands, Grounds, or Hereditaments in respect whereof the said Allotment or Allotments shall have been made, or shall die without Admittance, then it shall and may be lawful to and for the said Lord or Lords, Lady or Ladies of the said Manors respectively for the Time being to take and use all such Measures for compelling such Admission or Admissions to the said Allotment or Allotments respectively as such Lord or Lords, Lady or Ladies are now by Law, and according to the Customs of the said several Manors empowered to take and use for want of a Tenant to any Messuages, Lands, Tenements, or Hereditaments holden by Copy of Court Roll of his, her, or their said several Manors, and in such Case the same Fines, Fees, and other Payments shall be due and payable on such Admission or Admissions respectively as such Lord or Lords, Lady or Ladies, and the Stewards of the said Manors respectively are now by Law and the Customs of the same Manors respectively entitled to take and receive upon Admissions to any Messuages, Lands, Tenements, or Hereditaments holden by Copy of Court Roll of the said several Manors respectively; and from and after the First Admission, all the said Copyhold Allotments

Proprietors to be admitted to Copyhold Allotments within a limited Time.

ments shall for ever thereafter be held under the same Tenure, and subject to the same Services, Fines, and other Payments as the present Copyhold Messuages, Cottages, or Tofts, Open Field Lands and Hereditaments in respect whereof such Allotments shall be made are now held under, and subject and liable to: Provided always that all such Allotments of the said Common Heaths, Marshes, Doles, and Waste Lands as shall be made for or in respect of any such Right of Common, or other Right or Interest appurtenant to any Copyhold Messuages, Cottages, or Tofts, Lands, Tenements, or Hereditaments as aforesaid shall be subject and liable to and the Proprietors thereof respectively, for the Time being, shall pay to the Lord or Lords, Lady or Ladies of the said several Manors respectively for ever, a yearly Quit Rent at and after the Rate of One Penny *per* Acre for every Acre of the said Lands and Grounds which shall be so allotted, and so in proportion for any less Quantity than an Acre, at such Time or Times as the said Commissioners shall in and by the said Award appoint for the Payment of the same: Provided also, that no Allotment of the said Common Heaths, Marshes, Doles, and Waste Lands, so to be made in respect of any such Right of Common, or other Right or Interest appurtenant to any such Copyhold Messuages, Cottages, or Tofts, Lands, or Hereditaments which shall contain in the whole a smaller Quantity than One Rood, (unless it shall be the entire Quantity which shall be allotted to any such Proprietor) shall by the said Commissioners be declared to be Copyhold.

Copyhold Allotments of Commons to be subject to a Quit Rent.

Not to be less in Quantity than

XXXII. 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 or Settlement, 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 of the Lands or Grounds to be set out, divided, allotted, and inclosed as aforesaid, or any Part or Parts thereof respectively; but that each and every Proprietor shall stand and be seised of the Allotment and Allotments to be set out, assigned, and allotted to him, her, or them as aforesaid, or which shall be sold, given, or taken in Exchange in pursuance of this Act, or of which Partition shall or may be made in pursuance of the before-recited Act to such and the same Uses, and for such and the same Estates, and subject to such and the same Wills, Jointures, Limitations, Trusts, Charges, and Incumbrances, and no other, as the same Messuages, Lands, Tenements, and Hereditaments, for or in respect whereof such Allotments, Exchanges, or Partitions shall be made would have been subject or liable to be charged with or affected by, in case the same had remained uninclosed, unsold, unexchanged, or no Partition thereof had been made as aforesaid.

Wills and Settlements not to be affected.

XXXIII. And be it further enacted, That in case any Proprietor or Proprietors of any Messuages, Lands, and Tenements within the said several Parishes of *Burgh Castle* and *Herringfleet* shall hold the same by different Tenures, or for different Estates, or in different Rights, or under different Titles, the said Commissioners shall, upon the Request of any such Proprietor or Proprietors, ascertain and distinguish the Messuages, 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, set out, and allot distinct and several

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

Allotments

Allotments by diſtinct and ſeveral Deſcriptions for ſuch reſpective Meſſuages, Lands, or Tenements, and ſhall 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 for any other Cauſe, ſhall not diſcriminate and diſtinguiſh ſuch different Rights or Titles, different Eſtates, or different Tenures in their Award, it ſhall be lawful for them, at any Time within Twelve Calendar Months after the Execution of the ſaid Award, upon the Requeſt in Writing of any Perſon or Perſons intereſted, to do or cauſe to be done all proper and neceſſary Acts for the Purpoſe of enabling them to make ſuch Diſcrimination and Diſtinction as aforeſaid, in the ſame Manner as they might or could have done by their ſaid Award; and when and as ſoon at the ſaid Commiſſioners ſhall have obtained ſufficient Information for the Purpoſe by any Deed or Inſtrument in Writing under their Hands and Seals to aſcertain and diſtinguiſh the Difference of ſuch Tenures, Eſtates, Right and Titles reſpectively, and to make diſtinct and ſeveral Allotments in the ſame Manner as they are hereby authorized to do by their ſaid Award, and every ſuch Deed or Inſtrument ſhall have the ſame Force and Effect as if the ſame was contained in the ſaid Award, and ſhall be delivered to the Perſon or Perſons upon whoſe requeſt the ſame ſhall have been 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, properly belong for the Time being, and all the Coſts, Charges, and Expences which ſhall be occaſioned by the Proceedings of the ſaid Commiſſioners in making ſuch Diſcrimination or Diſtinction, and Allotment or Allotments, and of preparing and ſettling any ſuch Deed or Inſtrument, or in anywiſe relating thereto, ſhall be aſcertained and ſettled by the ſaid Commiſſioners, and ſhall be paid by the Perſon or Perſons who ſhall make 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 by Writing under their Hands appoint; and in caſe ſuch Coſts, Charges, and Expences ſhall not be ſo paid, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby required to raiſe and levy the ſame by ſuch Ways and Means as the Coſts, Charges, and Expences of obtaining this Act, and executing the ſaid recited Act and this Act, can or may be raiſed and levied.

Leaſes to be void as to Open Fields.

XXXIV. And be it further enacted, That for the Purpoſes of facilitating the ſetting out and allotting the Open Field Lands, and the exchanging any Part or Parts of the old incloſed Lands within the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet*, all and every Leaſe and Leaſes and other Agreements for any Term or Number of Years, which is or are now ſubſiſting of all or any Part of the Meſſuages, Buildings, Lands, Grounds, Tenements, or Hereditaments within the ſaid reſpective Pariſhes, either alone or together with any other Lands, Tenements, or Hereditaments ſhall ceaſe, determine, and be void, ſo far as any ſuch Leaſe or Leaſes or other Agreements affect or concern any Open Field Lands or old Incloſures which ſhall be allotted or exchanged by virtue of this Act, and every Tenant or Occupier thereof ſhall, immediately after the ſigning of the Award of the ſaid Commiſſioners, or at ſuch other Time or Times as the ſaid Commiſſioners ſhall thereby or by any Writing under their Hands for that Purpoſe appoint, give and reſign up the full and peaceable Poſ-

ſeſſion of ſuch allotted or exchanged Lands, to the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, to or with whom the ſame ſhall be reſpectively allotted or exchanged; but the Tenants or Occupiers of ſuch allotted or exchanged Lands, ſhall inſtead thereof have and receive the quiet and peaceable Poſſeſſion of the Lands and Grounds to be taken by ſuch Leſſor, Owner, or Proprietor, in lieu of or in Exchange for ſuch Lands reſpectively, or ſhall receive from ſuch Leſſors, Owners, or Proprietors thereof, ſuch Satisfaction as the ſaid Commiſſioners ſhall aſcertain, order, direct, or appoint to be paid to ſuch Tenants reſpectively, as an Equivalent for the Loſs or Loſſes they ſhall reſpectively ſuſtain thereby; and if the Money ſo to be aſcertained and directed to be paid as aforeſaid ſhall not be paid to the Perſon or Perſons entitled to receive the ſame, within Ten Days after Demand made thereof, it ſhall and may be lawful to and 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 Act can or may be raiſed and levied: Provided always, that the Option of retaining the Allotments or receiving Satisfaction in lieu thereof, hereinbefore given to ſuch Tenants or Occupiers, ſhall be declared in Writing under his, her or their Hands, and be delivered to the ſaid Commiſſioners within One Month from the Time of their exhibiting the Schedule of Allotments hereinbefore directed to be made and exhibited: Provided always, that if there ſhall be any Leaſe of Lands, Part of which ſhall lie in either of the ſaid ſeveral Pariſhes, and Part in any adjoining Pariſh, all and every ſuch Leaſe and Leaſes upon Rack Rent now ſubſiſting, may be vacated, but where any Land ſhall be taken in Exchange, which Land ſhall be under Leaſe and wholly ſituate in any adjoining Pariſh, the Leaſe of ſuch laſt-mentioned Land ſhall not be vacated.

Leaſes to be void as to Allotments of Common and Waſte Lands.

XXXV. And be it further enacted, That all and every Leaſe and Leaſes and other Agreements at Rack or Extended Rent, which is or are now ſubſiſting of all or any Part of the Meſſuages, Buildings, Lands, Grounds, Tenements, or Hereditaments within the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet*, either alone or together with any other Lands, Tements, or Hereditaments, ſhall ceaſe, determine, and be void, ſo far as ſuch Leaſe or Leaſes or other Agreements affect or concern any Allotment or Allotments of the Common Heaths, Marſhes, Doles, and Waſte Lands, which ſhall be made to any Perſon or Perſons whomſoever, for and in reſpect of any Meſſuages, Lands, Tenements, or Hereditaments comprized in any ſuch Leaſe or Leaſes or other Agreements, and it ſhall and may be lawful for the reſpective Leſſor or Leſſors, Landlord or Landlords of any ſuch Meſſuages, Lands, Tenements, or Hereditaments to enter into and upon ſuch Allotment or Allotments, and to hold and enjoy the ſame for and during all ſuch Time and Term as the ſaid Leſſee or Leſſees, Tenant or Tenants, ſhall or may have to come and unexpired of ſuch Leaſes or Agreements reſpectively, making ſuch yearly Deduction or Allowance out of the Rent or Rents in and by ſuch Leaſes or Agreements reſerved or agreed to be paid by ſuch Leſſees or Tenants reſpectively, for and during all the Reſidue of ſuch Term or Terms therein, as the ſaid Commiſſioners ſhall in and by ſome Inſtrument or Inſtruments in Writing, under their Hands, for that Purpoſe aſcertain and determine to be a reaſonable Compenſation for the Loſs of the Right or

Leſſors may hold ſuch Allotments, if they ſee fit, making Allowance to the Leſſees.

Rights of Common, which hath or have been accuſtomed to be uſed and exerciſed by ſuch Leſſee or Leſſees, Tenant or Tenants, in virtue of the ſaid Meſſuages, Lands, Tenements, or Hereditaments ſo leaſed to or agreed to be held by him, her, or them reſpectively, unleſs in caſes where by any ſuch Leaſe or Agreement the Right of Common is excepted and reſerved to the Landlord; but in caſe any ſuch Leſſors or Landlords ſhall not within One Calendar Month next after the ſaid Commiſſioners ſhall have made ſuch Allotment or Allotments, and exhibited a Schedule thereof as hereinbefore directed, give Notice in Writing of his, her, or their Intention of taking and holding the Allotment or Allotments ſo to be made of the ſaid Common Heaths, Marſhes, Doles, and Waſte Lands, to the Leſſee or Leſſees, Tenant or Tenants thereof reſpectively, ſuch Notice to be left at his, her, or their laſt or moſt uſual Place or Places of Abode, then and in every ſuch Caſe it ſhall be lawful for ſuch Leſſee or Leſſees, Tenant or Tenants reſpectively, to enter upon the ſaid Allotment or Allotments ſo to be made to ſuch Leſſor or Leſſors, Landlord or Landlords as aforeſaid, and to hold and enjoy the ſame for and during all ſuch Time and Term as he, ſhe, or they ſhall have to come and unexpired in ſuch Meſſuages, Lands, Tenements, and Hereditaments, by virtue of ſuch Leaſe or Leaſes or other Agreements, upon paying ſuch further or advanced Rent or Rents to their reſpective Leſſors or Landlords, and under and ſubject to ſuch Orders and Regulations reſpecting the Tillage and Management thereof, as ſhall be aſcertained and determined by the ſaid Commiſſioners, and be ſpecified in and by ſome Inſtrument or Inſtruments in Writing under their Hands, to be made at the joint Expence of ſuch Leſſors and Leſſees reſpectively, which Rent or Rents ſhall be paid at ſuch Time or Times, and in ſuch Manner, as the ſaid Commiſſioners ſhall by ſuch Inſtrument or Inſtruments reſpectively appoint; and ſuch Leſſor or Leſſors, Landlord or Landlords, ſhall have ſuch Powers and Remedies for the recovering and obtaining ſuch additional Rent, as he, ſhe, or they had, or was or were entitled to have had, for obtaining and recovering the original Rent reſerved by ſuch Leaſe or Leaſes or other Agreements; but if ſuch Leſſee or Leſſees, Tenant or Tenants, ſhall not within One Calendar Month next after the Date of ſuch Inſtrument or Inſtruments as aforeſaid, give Notice in Writing of his, her, or their Intention of holding ſuch Allotment or Allotments, and thereby agree to pay for the ſame ſuch Rent or Rents as the ſaid Commiſſioners ſhall have ſo appointed to be paid to the Leſſor or Leſſors, Landlord or Landlords thereof (ſuch Notice to be left at his, her, or their laſt or moſt uſual Place of Abode), that then and in ſuch Caſe the Allotment or Allotments ſo to be made in right of the ſaid Meſſuages, Lands, Tenements, or Hereditaments reſpectively leaſed, or agreed to be held by ſuch Leſſee or Leſſees ſo neglecting or refuſing to give Notice as aforeſaid, ſhall go to and remain unto, and be held and enjoyed by his, her, or their reſpective Leſſors or Landlords, freed and diſcharged of and from all Right and Intereſt in ſuch reſpective Leaſes.

Or, if Leſſors choose, Leſſees may hold the ſame, paying an additional Rent.

If Leſſees refuſe, Leſſors may hold the ſame without Allowance.

Power to make Exchanges.

XXXVI. And be it further enacted, that it ſhall be lawful for the ſaid Commiſſioners to ſet out, allot, and award any Lands, Tenements, or Hereditaments within the ſaid Pariſhes of *Burgh Caſtle* and *Herring fleet*, in lieu of or in exchange for any other Lands, Tenements, or Hereditaments within the ſaid Pariſhes, or within any adjoining Pariſh, Hamlet, or

or Place; provided that all ſuch Exchanges be aſcertained, ſpecified, and declared in and by the Award of the ſaid Commiſſioners, and be made with the Conſent of the Owner or Owners, Proprietor or Proprietors of the Lands, Tenements, or Hereditaments which ſhall be ſo exchanged whether ſuch Owner or Owners, Proprietor or Proprietors ſhall be a Body or Bodies Politic, Corporate or Collegiate, or a Tenant, or Tenants in Fee Simple, or for Life or Lives, or in Fee Tail, General or Special, or by the Courteſy of *England*, or for Years determinable on a Life or Lives, or with the Conſent of the Guardians, Truſtees, Feoffees for Charitable and other Uſes, Huſbands, Committees, or Attornies of, or acting for any ſuch Owners, or Proprietors as aforeſaid, who at the Time of making ſuch Exchange or Exchanges ſhall be reſpectively, Infants, Femes Covert, 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 every ſuch Body Politic, Corporate, or Collegiate, and under the Hands of the other conſenting Parties reſpectively; and all and every ſuch Exchange and Exchanges ſo to be made ſhall be good, valid, and effectual, in the Law to all Intents and Purpoſes whatſoever: Provided nevertheleſs, that no Exchange ſhall be made of any Lands, Tenements, or Hereditaments held in Right of any Church or Chapel, or other Eccleſiaſtical Benefice, without the Conſent teſtified as aforeſaid, of the Patron thereof, and of the Lord Biſhop of the Dioceſe in which ſuch Lands, Tenements, or Hereditaments ſo to be exchanged ſhall be ſituate: Provided always, that all Coſts, Charges, and Expences attending the making of any Exchanges and Partitions ſhall be paid and borne by the ſeveral Perſons making ſuch Exchanges or Partitions in ſuch Manner, and in ſuch Proportions as the ſaid Commiſſioners ſhall by their Award order and direct.

Rights to Tythes not to be prejudiced.

XXXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall prejudice, leſſen, or defeat the Right, Title, or Intereſt of any Perſon or Perſons, or Bodies Politic, Corporate, or Collegiate, in or to any Tithes ariſing or renewing out of or payable in reſpect of any Lands hereby directed to be divided and allotted, but that ſuch Tithes 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 paſſed.

Expences of new Roads, by whom paid and at what Time.

XXXVIII. And be it further enacted, That all the Coſts, Charges and Expences of making and forming the Public Carriage Roads, and of putting the ſame into good and ſufficient Repair, and of the Surveyor or Surveyors to be appointed, as by the ſaid recited Act is directed, ſhall be borne by the ſeveral Perſons who are by this Act charged with or made liable to the Payment of the Coſts, Charges, and Expences of obtaining and executing the ſame or any Part thereof, according to the annual Value of their ſeveral Allotments, ſave and except the Rector of the ſaid Pariſh of *Burgh Caſtle*, the Surveyors of the Highways, and the Truſtees of the Poor of the ſaid ſeveral Pariſhes of *Burgh Caſtle* and *Herringfleet* in reſpect of the Allotments to be made to them as aforeſaid; and the ſame, together with the Coſts, Charges, and Expences of raiſing and making the Fences againſt ſuch Roads (if any ſhall be made and raiſed by the ſaid Commiſſioners, under the Proviſions of this Act) ſhall be paid by them the ſaid Proprietors reſpectively to ſuch Perſon or Perſons, and at

ſuch

ſuch Time or Times as the ſaid Commiſſioners ſhall think proper, and by their Award appoint for that Purpoſe, or to ſuch other Perſon or Perſons, and at ſuch other Time or Times previous to their making their ſaid Award, as they the ſaid Commiſſioners ſhall by any Rate or Rates to be made and ſigned by them, or by any Writing or Writings under their Hands for that Purpoſe direct or appoint; and in caſe any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their Share or Shares of ſuch Charges and Expences, or any Part thereof, to the Perſon or Perſons who ſhall be thereby appointed to receive the ſame, within the Time to be limited by the ſaid Commiſſioners as aforeſaid, then and in ſuch Caſe the ſaid Commiſſioners ſhall cauſe the ſame to be levied and recovered in manner directed by the ſaid recited Act.

Expences of the Act, how to be paid.

XXXIX. And be it further enacted, That the ſeveral Sums of Money hereinbefore directed to be paid to the ſaid Commiſſioners for their Trouble and Attendance in the Execution of this and the ſaid recited Act, and the Allowance to the Surveyor or Surveyors to be appointed by them for ſurveying and admeaſuring, planning, and mapping the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, to be divided, allotted, and incloſed by virtue of this Act; and the Lands, Tenements, and Hereditaments in reſpect whereof a Right of Common, or other Right or Intereſt thereon or therein, ſhall be claimed; and alſo the Coſts and Charges in any Way occaſioned by, incident to, and attending the obtaining and paſſing of this Act, and of valuing, dividing, and allotting the ſaid Open Fields, Common Heaths, Marſhes, Doles, and Waſte Lands, and alſo of opening, cutting, and making any Ditches or Drains neceſſary for preſerving and improving the ſaid Lands and Grounds, and the Coſts, Charges, and Expences of incloſing and fencing the ſaid ſeveral Allotments hereinbefore directed to be incloſed and fenced at the general Expence, and of preparing and enrolling the Award of the ſaid Commiſſioners, and all other neceſſary Expences of the ſeveral Perſons employed by the ſaid Commiſſioners in and about the Premiſes, and of all Public Works, and all other Coſts, Charges, and Expences of carrying this and the ſaid recited Act into Execution ſhall be borne and defrayed by the ſeveral Perſons and Body or Bodies Politic, Corporate, or Collegiate, to whom Allotments ſhall be made by virtue of this Act, in Proportion to the Value of the Lands to be allotted to them reſpectively, to be aſcertained by the ſaid Commiſſioners, and ſhall be paid by them the ſaid Proprietors reſpectively, at ſuch Time or Times as they the ſaid Commiſſioners ſhall think proper, and in and by their Award mention and appoint for that Purpoſe; and in caſe any of the Perſons aforeſaid ſhall neglect or refuſe to pay his, her, or their Share or Shares of ſuch Charges and Expences, or any Part thereof, to the Perſon or Perſons who ſhall be appointed to receive the ſame within the Time to be limited by the ſaid Commiſſioners as aforeſaid, then and in ſuch Caſe the ſaid Commiſſioners ſhall cauſe the ſame to be levied and recovered in Manner directed by the ſaid recited Act: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend to the charging or making liable the ſaid Rector of the ſaid Rectory of *Burgh Caſtle* for the Time being, for or in reſpect of any Allotment or Allotments to be made to him, of any Open Fields, or Common Heaths, which ſhall be made to him in Right of the ſaid Rectory or the Surveyors of the Highways of the ſaid ſeveral Pariſhes, for or in reſpect of the Allotments to be made to them or the ſeveral Perſons to whom

whom the ſaid Allotments for the Benefit of the ſaid poor Perſons ſhall be made as aforeſaid to the Payment of the Coſts, Charges, and Expences, or any Part thereof hereinbefore directed to be paid, but the ſame ſhall be charged upon, and borne and defrayed by the reſt of the ſaid Proprietors.

Power to charge Copyhold Lands with Expences.

XL. And be it further enacted, That when and ſo often as it may be neceſſary to charge any Lands, Tenements, or Hereditaments which ſhall be allotted by virtue of this Act, and which are or ſhall be or become Copyhold, with any Sum or Sums of Money by way of Mortgage for paying and defraying any Share or Shares of the Coſts, Charges, or Expences of obtaining and executing this Act, and the ſaid recited Act, then and in ſuch Caſe ſuch Copyhold Premiſes 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 or Cuſtoms 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 ſurrendered to ſuch Perſon or Perſons his, her, or their Executors, Adminiſtrators, and Aſſigns for a Term of Years as mentioned in the ſaid recited Act.

Commiſſioners may borrow Money to defray Expences.

Money advanced to be repaid with Intereſt.

XLI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to borrow and take up at Intereſt of any Perſon or Perſons willing to advance and lend the ſame, ſuch Sum or Sums of Money as ſhall from Time to Time be neceſſary for defraying the Charges and Expence of paſſing this Act, and of carrying the ſame and the ſaid recited Act into Execution; and the Money which ſhall be ſo advanced for the Purpoſes aforeſaid ſhall be repaid, with lawful Intereſt, to ſuch Perſon or Perſons out of the firſt Monies which ſhall be raiſed from the ſeveral Proprietors as hereinbefore mentioned and directed for defraying the Expences of obtaining and executing this Act.

Commiſſioners' Accounts to be examined yearly by a Perſon appointed for that Purpoſe

XLII. And be it further enacted, That once at leaſt in each and every Year during the Execution of this Act, (ſuch Year to be computed from the Day of the paſſing thereof) the ſaid Commiſſioners ſhall, and they are hereby required to make a true and juſt Statement or Account of all Sums of Money by them received and expended, or due to them for their own Trouble and Expences in the Execution of this and the ſaid recited Act; and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be examined by the Reverend *Richard Turner*, one of His Majeſty's Juſtices of the Peace of and for the ſaid County of *Suffolk*, and in caſe of his Death or Refuſal to act, then by ſome other Juſtice of the Peace acting for the ſaid County of *Suffolk*, not intereſted in the ſaid Diviſion and Incloſure, and the Amount or Balance thereof ſhall be by the ſaid *Richard Turner*, or ſuch other Juſtice of the Peace, ſtated in the Book of Accounts by the ſaid recited Act required to be kept in the Office of the Clerk of the ſaid Commiſſioners, and that no Charge or Item in ſuch Account ſhall be binding upon the Parties concerned, or be valid in Law unleſs the ſame ſhall be duly allowed by the ſaid *Richard Turner*, or by ſuch other Juſtice as aforeſaid.

Parties aggrieved may appeal.

XLIII. And be it further enacted, That if any Perſon or Perſons, Body, or Bodies Politic, Corporate, or Collegiate, ſhall think himſelf, herſelf, or themſelves

themselves aggrieved by any Thing done in pursuance of the said recited Act or this Act (other than and except such Orders and Determinations of the said Commissioners as are by the said recited Act or this Act directed to be final, binding, and conclusive, and except in such Cases wherein an Issue at Law shall be tried as hereinbefore mentioned), then and in every such Case he, she, or they may appeal to the General Quarter Sessions of the Peace which shall be holden for the said County of *Suffolk* within Four Calendar Months next after the said Cause of Complaint shall have arisen, on giving the said Commissioners or the Party or Parties intended to be appealed against, Fourteen Days Notice of such Appeal, and of the Matter thereof, and the Justices in their said General Quarter Sessions are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs and Damages as to them in their Discretion shall seem reasonable; and in case of Non-payment thereof before the then next General Quarter Sessions, to levy by their Order or Warrant, 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) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale, which Determination of the said Justices shall be final and conclusive on all Parties concerned, and shall not be removed by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the Justices to be frivolous or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants, as to them the said Justices in their Discretion shall seem reasonable, and to be levied in manner aforesaid.

Award to be deposited with the Clerk of the Peace; and in the Parish Churches.

XLIV. 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 the said recited Act, they shall cause the same Award and the reduced Map or Plan, or reduced Maps or Plans thereto annexed, to be deposited in the Office of the Clerk of the Peace for the said County of *Suffolk*, who is hereby required, upon payment of the Sum of Two Guineas, to receive and deposit the same with the Records of the same County, 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 the said Award shall from and after the Delivery of the same to the said Clerk of the Peace be deemed and taken to be inrolled according to the Directions and within the Meaning of the said recited Act, and the said Award and such Map or Plan, Maps or Plans thereto annexed, or any 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, 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 therein, 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

to sign and certify the same to be a true Copy, for which Copy 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, Matters, and Things therein contained, shall be and are hereby declared to be binding, final, and conclusive upon all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate interested in the Premises, and all Rights of Common of Pasture, and all other Commonable Rights and Interests whatsoever in, over or upon all the Commons and Waste Grounds hereby directed to be divided and allotted, shall from and immediately after the Execution of the said Award cease, determine and be for ever extinguished, and the same Commons and Waste Grounds shall for ever thereafter be held and enjoyed in Severalty by the respective Owners and Proprietors thereof; and that so much of the Award as relates to each of the said several Parishes of *Burgh Castle* and *Herringfleet* respectively, shall, together with a Plan thereunto annexed, be deposited and kept in the several Churches of the said Parishes of *Burgh Castle* and *Herringfleet* respectively.

General Saving.

XLV. 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 or Collegiate his, her, and their Heirs, Successors, Executors and Administrators all such Estate, Right, Title, and Interest (other than and except such as are meant and expressed to be barred, destroyed and extinguished by this Act,) of, in, to, or out of the said Lands and Grounds hereby intended to be divided, allotted, and inclosed as they, every or any of them could or ought to have had and enjoyed, in case this Act had not been made.

For printing the Act by the King's Printer.

XLVI. And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorised 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.