



ANNO QUINQUAGESIMO TERTIO

GEORGI II. REGIS.

Cap. 103.

An Act for inclosing Lands in the Parish of *Buckden*,
in the County of *Huntingdon*. [21st May 1813.]

WHEREAS there are in the Parish of *Buckden*, in the County of *Huntingdon*, divers Open Fields, Meadows, Pastures, Commons, and Waste Lands, containing together, by Estimation, One thousand nine hundred Acres, or thereabouts: And whereas the Right Reverend Father in God, *George* Lord Bishop of *Lincoln*, is, in Right of his See, Lord of the Manor of *Buckden* with the Members, in the said Parish, and as such is seised of and entitled unto the Soil of the said Commons and Waste Lands within the said Manor; and is, in Right of his See, also seised of certain Demesne Lands and Hereditaments situate within the said Parish: And whereas *Lawrence Reynolds* Esquire is Lord of the Manor of *Buckden Britains*, within the said Parish of *Buckden*, and as such is entitled unto the Soil of the Commons and Waste Lands within such Manor: And whereas the said Bishop of *Lincoln*, as Prebendary of the Prebend of *Buckden*, founded in the Cathedral Church of *Lincoln*, and which Prebend is annexed to the Bishoprick of *Lincoln*, is seised of the impropriate Rectory or Parsonage of *Buckden* aforesaid, and is, in Right of such Rectory, entitled to certain Glebe Lands within the said Open Fields and Meadows, and to the Great or Rectorial Tythes arising from such of the Lands within the said Parish, as are subject to Tythes in Kind; and *William Willoughby* and *Thomas Gatty* are his Lessees for Lives: And whereas the said Bishop of *Lincoln*, as Prebendary of the said Prebend, is seised of the perpetual Advowson and Right of Patronage of, in, and to

[Loc. & Per.]

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the

the Vicarage of the Parish Church of *Buckden* aforesaid, and the Reverend *Edward Maltby*, Doctor in Divinity, is the present Vicar thereof, and is entitled to all the Vicarial Tythes arising within the said Parish: And

Proprietors. whereas Sir *James Duberly* Knight, *George Thornhill* Esquire, *Lawrence Reynolds* Esquire, *Cornelius Swan Scarbrow* Esquire, and others, are Owners and Proprietors of the Residue of the Lands and Grounds by this Act directed to be divided, allotted, and inclosed, and discharged from

41 G.3. c. 109. Tythes: And whereas an Act was passed in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And whereas the Lands of the several Proprietors in the said Open Fields, Meadows, and Pastures, lie intermixed and dispersed in small Parcels, and the same as well as the Commons and Waste Lands, in their present State, are incapable of any considerable Improvement, and it would be for the Benefit and Advantage of the several Persons interested therein, if the same were divided and allotted amongst them in specific Shares, according to their respective Rights and Interests therein, and such Allotments inclosed; and if Compensation were made for all Tythes arising, as well from all the Open Fields, Commons, and Waste Lands, as from the ancient inclosed Lands within the said Parish; but such Purposes cannot be effected without the Aid and 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 *John Burcham* of *Coningsby*, in the County of *Lincoln*, and *Alexander Watford* of the Town of *Cambridge*, in the County of *Cambridge*, Gentlemen, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for dividing, allotting, and directing the Inclosure of the said Open Fields, Meadows, Pastures, Commons and Waste Lands, and for carrying this Act into Execution, subject to the Rules, Orders, and Regulations in this Act contained, and also subject to the Rules, Orders, and Directions contained in the said recited Act (except such Parts thereof as are by this Act varied or altered); and the said Commissioners are hereby empowered to appoint a Clerk to assist them in the Execution of this Act.

Commissioners for executing this Act.

How future Commissioners are to be appointed.

II. And be it further enacted, That if any Commissioner appointed by this Act, or who may be elected and appointed in Manner herein-after mentioned, shall, before the Execution of all the Powers and Authorities hereby in him vested, die, decline, or refuse to act, or become incapable of acting, another Commissioner shall be elected in Manner following, in the Room of every Commissioner so dying, declining or refusing to act, or becoming incapable of acting, (that is to say) if the said *John Burcham* shall die, decline, or refuse to act, or become incapable of acting, it shall be lawful for the Bishop of *Lincoln*, for the Time being, by Writing under his Hand, to appoint a Commissioner (not interested in the said Inclosure) in the Room of the said *John Burcham*, and so from Time to Time, as often as any Commissioner so to be appointed by the said Bishop of *Lincoln*, or his Successors, shall die, decline, or refuse to act, or become incapable of acting; and in case the said *Alexander Watford* shall die, decline, or refuse to act, or become incapable of acting, it shall be lawful for the Majority in

Value (such Value to be ascertained by the Land Tax Assessment of the said Parish) of the Proprietors or Persons interested in the Lands and Grounds hereby directed to be divided and inclosed, (except the said Bishop of *Lincoln* and his Successors) who shall be present at a public Meeting to be held for that Purpose, in pursuance of a Notice in Writing under the Hand of the surviving Commissioner, or under the Hand of the Clerk to the said Commissioners, to be affixed upon the principal Outer Door of the Parish Church of *Buckden* aforesaid, and of a Notice to be inserted in the Newspaper now called *The Cambridge Chronicle and Journal and Huntingdonshire Gazette*, at least Ten Days before such Meeting, (and which Notice such surviving Commissioner is hereby required to give,) to appoint a Commissioner (not interested in the said Inclosure) in the Room of the said *Alexander Watford*, and so from Time to Time, as often as any Commissioner to be appointed as last aforesaid, shall die, decline, or refuse to act, or become incapable of acting; and that in case the said respective Parties, or any of them shall make Default in appointing any such future Commissioner, within Thirty Days next after the Death of any Commissioner herein named, or to be appointed by virtue of this Act, or within Ten Days after it shall be known that any such Commissioner has declined or refused to act, or become incapable of acting (a public Meeting having been called or ordered for the Purpose of such Appointment in Manner herein-before mentioned); then the surviving or remaining Commissioner shall, and he is hereby authorized and required from Time to Time, by Writing under his Hand, within Ten Days next after the Expiration of the said Thirty Days allowed to the respective Parties for appointing such future Commissioner, to appoint a Commissioner (not interested in the said Inclosure) in the Room of every Commissioner so dying, declining, or refusing to act, or becoming incapable of acting as aforesaid; and every such Commissioner to be appointed as herein directed, shall have the like Power and Authority to act in the Execution of the said recited Act and this Act, as the Commissioner in whose Room he shall be appointed was vested with by virtue of this Act.

III. And be it further enacted, That *William Alexander Peppercorn* of *St. Neots*, in the said County of *Huntingdon*, Gentleman, and his Successor, to be elected in Manner herein-after mentioned, shall be, and he is hereby appointed an Umpire in case of any Difference of Opinion between the said Commissioners in the Execution of the said recited Act or this Act; and if the said *William Alexander Peppercorn*, or any other Person to be appointed an Umpire as herein-after mentioned, shall die or refuse to act, or shall become incapable of acting, the said Commissioners shall, and they are hereby required forthwith to appoint another Person (not interested in the said Division and Inclosure) to be an Umpire in his Stead; and that whenever the said Commissioners shall differ or disagree in Opinion, touching any Matter or Thing to be by them done or performed in pursuance of the said recited Act or this Act, then and in every such Case the Matter in question shall be determined by the said *William Alexander Peppercorn*, or such Umpire to be appointed as aforesaid, whose Determination therein shall be deemed and acted upon as the Determination of the said Commissioners: Provided always, that the Instrument or Certificate of Appointment of every Umpire, to be appointed by virtue of this Act, shall be enrolled and deposited with the Award of the Commissioners; and a Copy of such Instrument or Certificate, attested by the proper Officer

Umpire.
Future Election thereof.

Officer of the Court where the same shall be enrolled, shall be sufficient Evidence thereof.

Umpire to
take an Oath.

IV. Provided also, and be it further enacted, That the said *William Alexander Peppercorn* shall not, nor shall any other Umpire, act in the Execution of the said recited Act or this Act, until he shall have taken and subscribed the Oath following, before one or both of the said Commissioners, (that is to say),

Oath:

‘ 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-third Year of the Reign of King George the Third, intituled [*here insert the Title of this Act*], according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever.
‘ So help me GOD.’

And such Oath, so taken and subscribed by such Umpire, shall be annexed to and enrolled with the Award of the said Commissioners.

Regulating
Commissioners Meet-
ings.

V. And be it further enacted, That the said Commissioners shall, and they are hereby required to give Notice in Writing, to be affixed on the principal Door of the Parish Church of *Buckden* aforesaid, upon some *Sunday* during the Times of Divine Service, or by Advertisement in the Newspaper called *The Cambridge Chronicle and Journal and Huntingdonshire Gazette*, or in some other Newspaper usually circulated in the said County of *Huntingdon*, of the Time and Place of their First and every subsequent Meeting for executing the Trusts by the said recited Act and this Act vested in them, Ten Days at least before the Time of holding every such Meeting (Meetings by Adjournment only excepted): Provided always, that if only One Commissioner shall attend at the Time and Place appointed for any such Meeting, such Commissioner shall adjourn such Meeting to a future Day, not exceeding Fourteen Days from the Day on which such Meeting was appointed to have been held, giving Notice thereof to the absent Commissioner; and all the Meetings of the said Commissioners shall be holden within the aforesaid Parish of *Buckden*, or within Eight Miles from the Boundary of the said Parish: Provided also, that if neither of the said Commissioners shall be present at the Time and Place appointed for any Meeting as aforesaid, it shall be lawful for the Clerk to the said Commissioners to adjourn such Meeting to a future Day, not exceeding Fourteen Days from the Day on which such Meeting was appointed to have been held, giving Notice thereof in Writing to the said Commissioners.

For deter-
mining Dif-
ferences.

VI. 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 Division or Inclosure, touching or concerning the respective Shares and Proportions, Rights and Interests which any of them shall have, or claim to have, of and in the Lands and Grounds hereby directed to be divided and inclosed, or touching or concerning any other Matter or Thing relating to the said Division or Inclosure, it shall be lawful for the said Commissioners or Umpire, and they are hereby required, upon proper and sufficient Enquiry and Evidence, to examine into, hear and determine the same:

same: Provided always, that nothing in this Act contained shall authorize the said Commissioners or Umpire to determine the Title to and Messuages, Lands, Tenements, or Hereditaments whatsoever: Provided also, that nothing in this Act contained shall extend to enable the said Commissioners or Umpire, to determine any Right between any Parties, contrary to the Possession of any such Parties, (except in Cases of Encroachments); 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 by such Person or Persons, or recovered by Ejectment, or other due Course of Law.

VII. And be it further enacted, That in case the said Commissioners or Umpire shall, upon the Hearing or Determination of any Claim or Claims, or Objection or Objections, to be delivered to them in pursuance of the said recited Act, or this 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 and Charges as they shall think reasonable to be paid to the Party or Parties in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons whose Claim or Claims, or Objection or Objections, shall be disallowed or over-ruled; and in case the Person or Persons who shall be liable to pay such Costs and Charges shall neglect or refuse to pay the same on Demand, then it shall be lawful for the said Commissioners, and they are hereby required, by Warrant under their Hands and Seals, directed to any Person or Persons whomsoever, to cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, 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.

Commissioners may award Costs.

VIII. Provided always, and be it further enacted, That in case any Person or Persons interested, or claiming to be interested, in the said intended Division and Inclosure, shall be dissatisfied with any Determination of the said Commissioners or Umpire, touching or concerning any Claim or Claims to any of the Lands and Grounds hereby directed to be divided and inclosed, or to any Rights of Common, or other Rights or Interests in, over, or upon the same, or any Part thereof, it shall be lawful for the Person or Persons so dissatisfied to proceed to a Trial at Law of the Matter so determined by the said Commissioners or Umpire, at the First or Second Assizes to be holden for the County of *Huntingdon*, first giving Fourteen Days Notice of such his, her or their Intention to the said Commissioners, or their Clerk; and for that Purpose the Person or Persons who shall be dissatisfied with the Determination of the said Commissioners or Umpire, shall cause an Action or Actions to be brought in some or one of His Majesty's Courts of Record at *Westminster*, upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within One Calendar Month next after such Determination of the said Commissioners or Umpire; and the Defendant or Defendants in such Action or Actions shall, and he, she or they is and are hereby required to

Allowing Parties to try their Rights at Law.

[*Loc. & Per.*]

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name an Attorney or Attornies, who shall appear thereto, or file Common Bail, and accept One or more Issue or Issues, whereby such Claim or Claims, and the Right or Rights thereby insisted on, may be tried and determined, (such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced; in case the Parties shall differ about the same,) and the Verdict or Verdicts which shall be given in such Action or Actions shall be final, binding, and conclusive, upon all and every Person and Persons whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, and order a new Trial or Trials 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 be obtained, and not set aside by the Court, the said Commissioners or Umpire shall, and they are hereby required to act in conformity thereto, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioners or Umpire, touching any such Claim or Claims, as shall not be objected to, or being objected to, the Party or Parties objecting not causing such Action or Actions at Law to be brought and proceeded in as aforesaid, shall be final and conclusive upon all Parties.

ACTIONS not to abate on Death of Parties.

IX. 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 Action, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened.

ACTIONS may be brought notwithstanding Death of Parties.

X. 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 such Action or Actions shall have been brought, and before the Expiration of the Time herein-before limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Bodies Politic or Corporate, 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 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 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.

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

XI. 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 and inclosed, or any Part thereof, shall be claimed, such Suit or Suits shall not impede, delay, or hinder the said Commissioners

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.

XII. And be it further enacted, That the said Commissioners shall, with all convenient Speed after the passing of this Act, cause Notice of their Intention to perambulate the Boundaries of the said Parish of *Buckden*, to be inserted in the said Newspaper now called *The Cambridge Chronicle and Journal and Huntingdonshire Gazette*, Eight Days at least before the Time of such Perambulation, and at the Time to be specified in such Notice, the said Commissioners are hereby authorized and required to perambulate, enquire into, set out, ascertain, fix and determine the Boundaries of the said Parish of *Buckden*: Provided always, that if any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, interested in the Determination of the said Commissioners, respecting the said Boundaries, shall be dissatisfied with the Determination of the said Commissioners, such Person or Persons, Body or Bodies Politic, Corporate or Collegiate, or any of them, may appeal to the Justices of the Peace acting for the County of *Huntingdon*, at any General Quarter Sessions of the Peace to be held within Four Calendar Months next after the aforesaid Publication of the said Boundaries, on giving to the said Commissioners Fourteen Days Notice in Writing of such Appeal, and of the Matter thereof, and the Decision of the said Justices therein shall be final and conclusive.

For ascertain-
ing Bounda-
ries.

XIII. And be it further enacted, That if the said Commissioners shall deem it expedient or proper to shorten the Boundary Fences, between the Lands and Grounds by this Act directed to be divided and inclosed, and the Lands and Grounds in any Manor or Parish adjoining thereto, or to make the same regular, it shall be lawful for the said Commissioners, with the Consent in Writing under the Hand or Hands of the Lord or Lords of the Manor or Manors in which the Land is situate, or of the Owner or Owners of the Land upon which any Fence or Fences shall or may be intended to be made, to set out the Boundary between the Lands and Grounds by this Act directed to be divided and inclosed, and the Lands and Grounds in any adjoining Manor or Parish, in such Manner as they shall judge proper for the Purpose aforesaid; and after such Boundaries shall be so set out 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 Parish of *Buckden* aforesaid, and such adjoining Manor or Parish, any Law, Usage or Custom to the contrary notwithstanding.

For shorten-
ing the Bound-
ary Fences.

XIV. And be it further enacted, That all Encroachments which at any Time within Twenty Years immediately preceding the passing of this Act, have been made upon the said Open Fields, Meadows, Pastures, Conimons, and Waste Lands, hereby directed to be divided and inclosed, shall be deemed Part thereof, and shall be divided and allotted accordingly; and in case any Dispute or Difference shall arise touching any such Encroachments, or the Extent thereof, such Dispute shall be investigated and determined by the said Commissioners or Umpire.

Respecting
Encroach-
ments.

XV. And

For stopping
up and alter-
ing Roads.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, with the Concurrence and Order of Two Justices of the Peace, acting in and for the said County of *Huntingdon*, and not interested in the Repairs of such Roads as after-mentioned, or in the said intended Division and Inclosure, (in Manner and subject to Appeal as in the said recited Act is mentioned,) to stop up and discontinue any of the public Roads or Ways, in, through, over, or on the Sides of any of the old inclosed Lands, or other Lands within the said Parish, which shall be deemed useles or unnecessary, and to widen, turn, or alter, any of such Roads or Ways as the said Commissioners shall think proper to be widened, turned, or altered; and all such Roads as shall be stopped up or discontinued, and not leading through any of such old inclosed Lands, shall be deemed Part of the Lands hereby directed to be divided and inclosed, and shall be allotted to such of the Proprietors of the adjoining Lands, as the said Commissioners shall think fit.

Roads not to
be stocked.

XVI. And be it further enacted, That no Person or Persons shall at any Time, within the Space of Seven Years next after the passing of this Act, turn or put, or cause to be turned or put, any Cattle, Sheep, or Swine, in or upon any of the Roads, Ways, or Lanes, within the said Parish.

Drains, &c.
may be made,
so that the
Ouze Naviga-
tion, &c. be
not injured.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered to enlarge, widen, deepen, scour, cleanse, change, stop up, and divert, all or any of the ancient Brooks, Drains, Ditches, Tunnels, Streams, Springs, Watercourses, Watergates, Banks, and Bridges within the said Parish of *Buckden*, as they may think necessary; and also to make, erect, set out, and appoint such new Ditches, Drains, Watercourses, Staunches, Sluices, and Bridges, as well through and over any ancient Inclosure, as through any other Lands and Grounds in the said Parish of *Buckden*, making Satisfaction to the Proprietors of such ancient Inclosures for so doing, as the said Commissioners shall think proper and necessary, of such Breadth and Depth, and in such Directions as the said Commissioners shall think proper, for the Purpose of draining any Land or supplying any other Land with Water, and for any other Purposes of Improvement; and the said Commissioners shall, and they are hereby required, in and by their Award, to order and direct by whom, and at whose Expence, and at what Time, and in what Manner the said Brooks, Ditches, Drains, Streams, Springs, Watercourses, Tunnels, Watergates, Banks and Bridges shall be made, and thereafter repaired, cleansed, scoured and maintained: Provided always, that nothing in this Act contained, shall authorize the said Commissioners to make, do, or execute, or cause to be made, done or executed any Work, Bank, Drain, Watercourse, Fence or other Thing whatsoever, which shall occasion any Detriment, Impediment, Prejudice or Hindrance to the Water Mills in the said Parish of *Buckden* called *Buckden Mills*, or to the Navigation of the River *Ouze*, or to the Hauling Ways, or Towing Paths, upon or along the Banks of the said River within the said Parish of *Buckden*, belonging to the said Navigation or the Proprietors thereof: Provided also, that no Brook or Watercourse shall be diverted or turned, without the Consent in Writing of the Owner or Owners of the Lands, from, through, or into which the same shall be diverted or turned.

XVIII. And

XVIII. And be it further enacted, That the said Commissioners shall appoint a Meeting, and give Notice thereof in the Manner directed by this Act, for receiving from the said Proprietors a Description of the Situations where they may be desirous to obtain their Allotments; and that when and so soon as the said Commissioners shall have ascertained the respective Shares, Rights, and Interests of the said Proprietors in the Lands and Grounds to be divided and allotted by virtue of this Act, and also the respective Shares and Proportions by them proposed to be allotted to such Proprietors respectively in lieu thereof, they the said Commissioners shall give Notice according to the Directions of this Act, of a Meeting at some convenient Time and Place, when and where the said Proprietors may be informed of such intended Allotments, and see the Situation thereof set out, and delineated upon a Map to be produced for their Inspection; and in case any Proprietor or Proprietors upon Inspection of such Map shall be dissatisfied with the intended Allotments, the said Commissioners shall, if required, at such Time and Place as last aforesaid, or at some other Time and Place to be appointed by them for that Purpose, receive Statements in Writing of the Objections against such Allotments, and shall forthwith or as soon after as conveniently may be, consider such Objections, and make such Determination therein as they in their Judgment shall think proper and requisite, and their Determination thereupon shall be binding and conclusive upon all Parties: Provided always, that the said Commissioners shall set out the Allotments for Glebe to the said *William Willoughby* and *Thomas Gatty*, their Heirs or Assigns, in such Situation as they may fix and determine upon; provided Notice be given by them to the said Commissioners within Six Calendar Months next ensuing the passing of this Act of such Situation.

Situation of Allotments.

XIX. And be it further enacted, That all Tofts, Foundations or Sites of ancient Commonable Messuages or Cottages in the Parish of *Buckden* aforesaid, shall, upon Proof being made thereof to the Satisfaction of the said Commissioners, be considered and deemed as Commonable Messuages or Cottages; and that the respective Owners thereof shall be entitled to the same Compensation for the respective Common Rights originally belonging thereto, as if such Messuages or Cottages were at present standing.

Allotments in respect of Common Rights of Tofts.

XX. And be it further enacted, That the said Commissioners shall, and they are hereby required (if they shall think it necessary, but not otherwise), before they make any other Allotment of the said Open Fields, Meadows, Pastures, Commons and Waste Lands, to set out and allot such Parts or Parcels thereof, not exceeding Two Acres, as they shall judge proper, as and for public Stone, Gravel, Clay, and Sand Pits, with convenient Roads and Ways to and from the same, to be used in common by the respective Proprietors of Lands and Estates, and their Tenants, as well for their own respective private Uses, within the said Parish, as for making and repairing the public and private Roads and Ways within the same; subject nevertheless to the Direction of the Surveyors of the Highways within the said Parish for the Time being; and the said Commissioners are hereby required, in and by their Award, to direct and declare to whom the Herbage of such Allotment shall belong.

Allotments for Stone, Gravel, and Sand Pits.

Allotment
for Glebe and
Common
Rights.

XXI. And be it further enacted, That the said Commissioners shall set out, allot, and award unto, and for the said Bishop of *Lincoln*, Prebendary of the Prebend of *Buckden* aforesaid, and his Successors, and his and their Lessee or Lessees, such Plot or Plots of the Lands and Grounds hereby directed to be divided and inclosed, and in such Part and Situation of the said Open Fields, Meadows, Pastures, Commons, and Waste Lands, as the said *William Willoughby* and *Thomas Gatty*, their Heirs or Assigns, may fix upon and determine within the Time before limited, as shall in the Judgment of the said Commissioners be a full Compensation and Satisfaction for the uninclused Glebe Lands, and Right of Common in respect thereof, belonging to the said Bishop of *Lincoln*, and his Lessee or Lessees, in, over or upon the Lands and Grounds hereby directed to be divided and inclosed.

Allotment in
lieu of
Tythes.

XXII. And be it further enacted, That the said Commissioners shall, after they shall have set out the public Roads and Ways, and the several Allotments herein-before directed to be made, set out, allot, and award unto and for the said Bishop of *Lincoln*, Prebendary of the said Prebend, and his Successors, and his and their Lessee or Lessees, and for the said Vicar and his Successors, such Plots or Parcels of the Lands and Grounds hereby directed to be divided and inclosed, as shall in the Judgment of the said Commissioners, (Quantity, Quality, and Situation considered,) be equal in Value to One-fifth Part of the Residue of all the Arable Lands within the said Parish, not being Demesne Lands, belonging to the said Bishop of *Lincoln*, which are subject to Tythes; and to One-eighth Part of the Residue of the Meadow and Pasture Grounds in the said Parish, not being such Demesne Lands as aforesaid, which are subject to Tythes; and to One-tenth Part of all the Woodlands in the said Parish, not being such Demesne Lands as aforesaid, which are subject to Tythes; for and in lieu of all Tythes, both Great and Small, and of all Moduses, Compositions, or other Payments in lieu of Tythes, and of all Ecclesiastical Dues and Payments whatsoever (except *Easter Offerings*, Mortuaries, and Surplice Fees, and also except an Annual Sum of Eighteen Pounds Two Shillings and Sixpence, and Four Quarters of Wheat and Six Quarters of Barley, payable by the Prebendary of the said Prebend to the said Vicar of *Buckden* for the Time being,) arising, growing, renewing, increasing, or payable from and out of the Lands and Grounds hereby directed to be divided and inclosed, or from or out of any Messuages, Tenements, Gardens, Orchards, Woodlands, and other enclosed Lands in the said Parish, (other than and except the Demesne Lands of and belonging to the said Bishop of *Lincoln*, the Tythes of which are intended to be commuted for as herein-after mentioned).

Allotment for
Tythes of the
Demesne
Lands of the
Bishop of
Lincoln.

XXIII. And whereas the Woodlands, Part of the Demesne Lands of the said Bishop of *Lincoln* in the said Parish of *Buckden*, being wholly exempt from Tythes, and the Remainder of the said Demesne Lands of the said Bishop of *Lincoln* in the said Parish, and any Parts or Parcels thereof, whilst the same are in the Manurance or Occupation of the Bishop of *Lincoln* for the Time being, being exempt from all Tythes; it has been proposed and agreed that such Compensation as next herein-after mentioned, shall be accepted and taken in lieu and full Satisfaction of all Tythes which might arise or become payable in respect of such Demesne Lands; be

be it therefore further enacted, That the said Commissioners shall, and they are hereby required to set out, allot, and award, unto and for the said Bishop of *Lincoln*, Prebendary of the said Prebend, Impropiator of the Rectorial Tythes of the said Parish of *Buckden*, and his Successors, and his and their Lessee or Lessees, and for the said Vicar and his Successors, such Part or Parts of the old inclosed Demesne Lands of the said Bishop of *Lincoln*, and such Plots or Parcels of the Allotment or Allotments of the Lands and Grounds which shall be allotted to the said Bishop of *Lincoln*, and his Successors, for and in respect of his and their Demesne Lands, as shall, in the Judgment of the said Commissioners, (Quantity, Quality, and Situation considered,) be equal in Value to One-tenth Part (after all proper Deductions have been made for any Open Field, Demesne Land, which may be allotted for the public Roads, Gravel, Sand or Clay Pits) of all such Parts of any Demesne Lands in the said Parish belonging to the said Bishop, as are or may be Arable Lands, and to One-sixteenth Part (after such Deductions have been made for the Purposes last-mentioned) of all such Parts of the said Demesne Lands as are Meadow and Pasture Grounds, for and in lieu of all Tythes, both Great and Small, and all Moduses, Compositions or other Payments, in lieu of Tythes, and all Ecclesiastical Dues and Payments whatsoever, arising, growing, renewing, increasing, happening or payable, from and out of any Messuages, Tenements, Gardens, Orchards or inclosed Lands, or any other Lands or Grounds of whatever Description, in the said Parish of *Buckden*, being Part of the Demesne Lands or Demesne Possessions of the said Bishop of *Lincoln*.

XXIV. And be it further enacted, That the said Commissioners shall, and they are hereby authorized and required to apportion and divide the several Lands and Allotments herein-before directed to be set out and allotted in lieu of Tythes, Moduses, and other Ecclesiastical Payments, between the said Impropiator and his Lessee or Lessees, and the said Vicar, in such Shares and Proportions as the said Commissioners shall adjudge and determine to be a just Compensation and Satisfaction for their respective Shares, Rights, and Interest, of, in, and to the Tythes, Moduses, and other Ecclesiastical Payments, for or in respect of which such Lands and Allotments shall be set out and made as aforesaid.

Apportionment between Impropiator and Vicar.

XXV. Provided always, and be it further enacted, That the said Commissioners shall, and they are hereby required, in making such Apportionment, to set out and allot unto and for the said *Edward Maltby*, and his Successors, Vicars of the said Vicarage, an Allotment or Plot of Land, not less than Twelve Acres, as near to the Vicarage House of *Buckden* aforesaid, as the general Convenience of all the Proprietors of Estates in the said Parish will allow.

Allotment to the Vicar near to the Vicarage House.

XXVI. And whereas some of the Proprietors may be seised of, or entitled to Freehold or Copyhold Lands, or other Freehold or Copyhold Rights or Interests in the Open and Common Fields of *Buckden* aforesaid, all or Part of which may happen to be allotted or awarded, in Satisfaction for the Tythes issuing out of the Homesteads, Gardens, Orchards, Homeclofes, or inclosed Lands and Grounds belonging to such Proprietors, and which are held by and under different Tenures, Rents, Customs, and Services, from the

Where Copyhold Lands in the Open Fields are taken to commute for the Tythes, an equal Portion of the old In-

inclosures shall
be declared
Copyhold in
lieu thereof.

the said Common Field Lands, or other Rights or Interests, which may so happen to be allotted and awarded as aforesaid; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required to assign, set out, allot, declare, and award, so much and such Part or Parts of the said Homesteads, Gardens, Orchards, Homecloses, or inclosed Lands or Grounds, within the said Parish of *Buckden*, as in the Judgment of the said Commissioners shall be equal in Value to the said Common Field Lands, or other Rights or Interests so allotted and awarded in Satisfaction for the said Tythes, to be afterwards held by and under the same Tenures, Rents, Customs, and Services, as the Lands and Grounds, or other Rights and Interests, in lieu or in respect whereof such Allotments shall be made, were previously held by, or subject unto.

Payment to
be made by
Persons not
having Open
Field Land
sufficient to
compensate
for Tythes.

XXVII. And be it further enacted, That in case there are any Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands, within the said Parish, subject to Tythes, the respective Owners and Proprietors whereof shall not have, or purchase, or be otherwise entitled to a sufficient Quantity of the Lands and Grounds hereby directed to be divided and inclosed, to make Compensation for the Tythes of such Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands, in such Proportions as are herein-before directed, such Proprietors shall respectively pay, or cause to be paid, unto such Person or Persons, and at such Time or Times as the said Commissioners shall direct or appoint, such Sum and Sums of Money as the said Commissioners shall adjudge and determine to be a full Compensation and Satisfaction for the Tythes issuing or payable out of such Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands respectively, or for such Parts thereof, for which a Compensation in Land cannot be made by the Proprietors thereof as aforesaid, which Sum and Sums of Money shall and may be raised, levied, and recovered, in like Manner as the Charges and Expences of obtaining and passing this Act, and carrying the same into Execution, are directed to be raised, levied, and recovered, and shall and may be applied in Payment of such Parts and Proportions of the Expences of obtaining and executing this Act, as ought to be paid by the respective Persons whose Lands may be set out for discharging from Tythes such Homesteads, Gardens, Orchards, ancient Inclosures, or Woodlands; and that in case such last-mentioned Sum or Sums of Money shall be more than sufficient to pay and discharge the said respective Proportions of the Costs, Charges, and Expences of obtaining this Act, and of carrying the same into Execution, the Residue and Remainder of such Sum and Sums of Money shall be divided amongst and paid to the several Proprietors of the Open Fields, Meadows, Pastures, Commons, and Waste Lands, whose Lands have been taken and appropriated for the Purpose of discharging such last-mentioned old inclosed Lands from Tythes, in such Proportions as they shall be respectively entitled thereto; and if any of such last-mentioned Proprietors of the said Open Fields, Meadows, Pastures, Commons, and Waste Lands, shall not be Tenants in Fee Simple, or Copyholders of Inheritance, then such Shares and Proportions of such Surplus Money shall be applied and disposed of in the same Manner as any Sum of Money 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,

Lands, Tenements or Hereditaments, to be settled to the same Uses, is by the said recited Act authorized or directed to be applied and disposed of.

XXVIII. Provided always, and be it further enacted, That it shall and may be lawful for all and every the Owners and Proprietors, being Tenants in Tail, or for Life or Lives, or for Years determinable on a Life or Lives, and also for the Husbands, Guardians, Trustees, Committees, or Attornies of any of the Owners or Proprietors of Messuages, Cottages, Homesteads, Gardens, Orchards, ancient Inclosures, or Woodlands, in the said Parish, not having any or a sufficient Quantity of Lands or Grounds, hereby directed to be divided and inclosed, to discharge his, her or their old Inclosures from Tythes, being under Coverture, Minors, Lunatics, beyond the Seas, or under any other Disability or Incapacity, to charge such Messuages, Cottages, Homesteads, Gardens, Orchards, ancient Inclosures, or Woodlands, or any Lands to be taken in Exchange for the same, with such Sum or Sums of Money as the said Commissioners shall by their Award, or any other Writing under their Hands, previous thereto, declare to have been paid, or to be payable for the Discharge of the Tythes thereof; and also with any further or additional Sum or Sums of Money not exceeding Five Pounds an Acre for every Acre of Land, discharged from Tythes as aforesaid, which the said Commissioners shall direct to be paid by them, as their respective Shares of the Charges and Expences incident to, and attending the obtaining of this Act, and carrying the same into Execution; and to grant, mortgage, surrender, lease, or demise or otherwise subject such Messuages, Cottages, Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands, unto any Person or Persons who shall advance and lend such Sum and Sums of Money respectively, his, her and their Executors, Administrators, and Assigns, for any Term or Number of Years; or in case any Person in Possession, who shall be charged with a Sum or Sums of Money as aforesaid, shall be willing to advance, pay or discharge the same, it shall be lawful for the said Commissioners, by any Deed or Writing under their Hands and Seals, to be attested by Two or more credible Witnesses, in like Manner to grant, mortgage, surrender, lease, demise, or otherwise subject the said Messuages, Cottages, Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands, to such Person or Persons respectively paying or discharging the same, and to his, her or their Executors, Administrators, and Assigns, for any Term or Number of Years, to and for the Payment of such Sums of Money as aforesaid, with Interest for the same, to commence on the Termination of his, her or their Right in the Premises, so that every such Grant, Mortgage, Surrender, Lease or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered or re-assigned, when such Sum or Sums of Money thereby to be secured with the Interest thereof, shall have been fully paid and satisfied; and also with a Covenant, to pay and keep down the Interest, so that no Person or Persons afterwards becoming entitled to any such Messuages, Cottages, Homesteads, Gardens, Orchards, ancient Inclosures or Woodlands, shall be liable to pay any further or larger Arrear of Interest, than for Six Months preceding the Time when the Title to such Possession shall have commenced; and that every such Mortgage, Surrender, Lease or Demise, so to be made in pursuance of this Act, shall be good, valid, and effectual in the Law; and that no Mortgagee or Mortga-

Tenants for Life, &c. of old Inclosures, empowered to charge their Estates with Money paid for discharging the same from Tythes.

gees, advancing or lending Monies upon such Security or Securities, shall be liable to or answerable for the Application or Misapplication of the Monies so advanced or lent.

Tythes to be payable until Allotments made.

XXIX. And be it further enacted, That the said Impropiator and his Lessee, and the said Vicar, shall be entitled unto, and shall receive and enjoy such and the same Tythes, as they could or might have done in case this Act had not been made, until the said Commissioners shall, by Writing under their Hands, direct the same Tythes to cease.

Allotments for Right of Soil.

XXX. And be it further enacted, That the said Commissioners shall set out and allot unto and for the Lord or Lords of the Manor or Manors, within the said Parish, such Parts and Parcels of the Commons and Waste Lands hereby directed to be divided and inclosed, not exceeding One-sixteenth Part thereof, as in the Judgment of the said Commissioners shall be an Equivalent, and a full Compensation and Satisfaction for his and their Rights and Interests in and to the Soil of the said Commons and Waste Lands.

Allotment of Residue.

XXXI. And be it further enacted, That the said Commissioners shall set out and allot all the Residue and Remainder of the Lands and Grounds, by this Act directed to be divided and inclosed, unto and amongst the several and respective Persons, Bodies Politic and Corporate, who at the Time of making such Allotments shall be entitled to any Estate, Property, Common Right, or Interest therein, in Proportion and according to their several and respective Rights and Interests, and in such Quantities, Shares, and Proportions, as the said Commissioners shall judge and deem to be a full Compensation for the several and respective Lands, Grounds, Rights, Proportions, and Interests of each of the said Proprietors.

Allotments on account of Interests that have been or may be sold.

XXXII. And be it further enacted, That if any Person hath sold, or shall at any Time before the Execution of the Award of the said Commissioners, sell his, her, or their Interest, Right, Title or Property, in, over and upon the said Open Fields, Meadows, Pastures, Commons, and Waste Lands, hereby directed to be divided and inclosed, or any Part thereof, 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, with the Consent in Writing of such Vendor or Vendors respectively, to make an Allotment or Allotments of the Land, unto the Vendee or Purchaser in such Sale, or to his, her, or their Heirs, or Assigns, for or in respect of such Right, Interest or Property, so sold as aforesaid; and every such Vendee or Purchaser, and his or their 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, her, or them as aforesaid, in the same Manner, to all Intents and Purposes, as the Vendor or Vendors, in every such Sale, might or could have held and enjoyed the same, in case such Sale had not been made; and that the Vendee or Purchaser shall in all Cases be empowered to claim for the Situation of such Allotment or Allotments, in preference to the Vendor or Vendors, and the Commissioners are hereby required to receive and attend to such Claim accordingly.

XXXIII. And

XXXIII. And be it further enacted, That the several Allotments of Land which shall be set out, allotted, and awarded unto and for the said Bishop of *Lincoln*, Prebendary of the said Prebend, Impropiator as aforesaid, and his Successors, and his or their Lessee or Lessees, in lieu of their Tythes, Glebe Lands, and Common Rights, and unto and for the said Vicar for his Tythes, shall be inclosed and fenced on the outward Boundaries thereof respectively, with good thriving Quicksets, guarded on both Sides with good Posts and Three Rails on each Side, the Posts to be of Oak, and the Rails of Oak, Ash, or some other durable Wood, and sufficient Ditches, with good and substantial Stiles and Carriage Gates in the said Fences where necessary, the said Fences and Stiles to be made and the said Gates to be hung at the Expence of the Proprietors (except the said Impropiator and his Lessee, and the said Vicar,) whose Lands are subject to the Payment of Tythes, in such Shares and Proportions, and at such Time and Times, as the said Commissioners shall by their Award order or direct; and the said Commissioners are hereby authorized and required to assess such Expences upon the several Persons so chargeable with the Payment thereof; and the same Expences when so assessed shall and may be recovered by the same Ways and Means, as the general Expences of obtaining and carrying this Act into Execution, are provided for and made recoverable if raised by Rate; and that such Fences shall thereafter be maintained, supported, and preserved during the Term of Seven Years, from and after the planting of the said Quicksets, by or at the Expence of such Proprietors as aforesaid, in such Shares and Proportions as the said Commissioners shall also by their Award direct or appoint; and from and after the Expiration of the said Term of Seven Years, the same Fences shall be maintained, supported, and preserved by, or at the Expence of the said Impropiator and his Successors, and his and their Lessee and Lessees, and the said Vicar respectively, or by such other Persons as the said Commissioners shall in and by their Award direct.

Particular Allotments how to be fenced.

XXXIV. And be it further enacted, That the Lands and Grounds which shall be allotted by virtue of this Act, to any of the said Proprietors, shall be held by the same Tenures, Customs, Rents and Services, as the Lands and Grounds, Tenements and Hereditaments, or other Rights in respect whereof such Allotments shall be made, were respectively held and enjoyed before the passing of this Act, or would have been held and enjoyed in case this Act had not been passed.

Allotments to be of the same Tenure as former Property.

XXXV. And be it further enacted, That when the Proprietor or Proprietors of any Lands, or other Hereditaments which shall be divided, allotted, or exchanged by virtue of the said recited Act or this Act, shall hold his, her or their Lands and Hereditaments for different Estates or by different Tenures, and where from the Want of necessary Information, or from any other Cause, the said Commissioners shall, in their Award, have omitted to distinguish and ascertain the Lands or other Hereditaments so holden for such Estates, and by different Tenures, and to set out and award several and distinct Allotments for such respective Lands or other Hereditaments as herein-before is required; and if within Twelve Calendar Months after the making of the said Award, Request shall be made to the said Commissioners by any Person or Persons interested, by Writing under his or their Hand or Hands, to have such Omission supplied and rectified,

For ascertaining the holding of Lands, &c.

by a separate Instrument, then and in every such Case the said Commissioners shall and they are hereby authorized to do every Thing necessary for supplying and rectifying such Omission, and for that Purpose are hereby required to examine Witnesses, and in every other respect to proceed and act as if their Award had not been made; and when they shall have obtained such Information as they shall think sufficient, the said Commissioners are hereby also authorized, by Deed under their Hands and Seals, to distinguish and ascertain the Difference of such Estates and Tenures accordingly, and to make distinct and several Allotments of the Lands and Hereditaments so as aforesaid allotted and awarded, in the same Manner as is hereby required, where such Discrimination shall be contained in the said Award; and every such separate Instrument shall be annexed to, and inrolled or deposited with the said Award, and Evidence thereof shall be given in the same Manner as by the said recited Act and this Act is directed concerning the said Award; and all reasonable Expences incurred in and about such separate Instrument as aforesaid, shall be payable by the Person or Persons who shall have so requested the said Commissioners to make and execute the same, or by his, her or their Heirs, Executors or Administrators; and every such separate Instrument shall, from and immediately after the due Execution thereof by the said Commissioners, have the same Effect to all Intents and Purposes, as if the Contents thereof had been inserted and contained in their said Award; and a Duplicate of the same shall be delivered to the Person or Persons upon whose Request any such Omission shall have been supplied and rectified, or the Person or Persons to whom the Custody of the Deeds and Writings concerning the Title of the Premises in question, shall in the Opinion of the Commissioners most properly belong, at the Expence of the Person or Persons requiring the same.

Power to the Lord of the Manor of Buckden with the Members, to enfranchise Copyholds.

XXXVI. And whereas the Lord of the said Manor of *Buckden* with the Members, may be willing to enfranchise the several Messuages, Tenements, Gardens, Orchards and Lands within the said Manor, which are holden of him as Lord of such Manor by Copy of Court Roll, and which under the Authority of this Act shall be deemed or declared to be Copyhold or Customary, or some Parts thereof respectively, and for that Purpose to release and discharge his Estate in, and all Fines, Heriots, Quit Rents, Chief Rents, Reliefs, Customs and Services due and payable to the said Lord, for or in respect of such Messuages, Tenements, Gardens, Orchards and Lands, on being allowed an adequate Compensation for the same, and the several Owners and Proprietors of such Copyhold or Customary Messuages, Lands, Tenements and Hereditaments, may be desirous that the same should be enfranchised; be it therefore further enacted, That it shall be lawful for the said Commissioners, with the Consent of the said Lord, to be testified in Writing under his Hand, and with the Consent of the Owner or Owners of any such Messuages, Lands, Tenements or Hereditaments respectively, expressed in Writing under his, or her, or their Hand or Hands, and delivered to the said Commissioners at any Time before their Third Meeting under this Act, or at any Time the said Commissioners shall appoint, to assign, set out, and allot unto the said Lord such Proportions, Shares or Parts of the Allotments of the Lands and Grounds which such Copyholders shall respectively be entitled unto, as in the Judgment of the said Commissioners shall be a full and just Equivalent and Compensation to such Lord for all his Estate, Rights, Claims, Fines, Heriots, Quit Rents, Chief Rents, Reliefs,

Reliefs, Customs and Services due or payable, or to become due or payable to him as Lord of the said Manor, in respect of any such Copyhold or Customary Messuages, Lands, Tenements and Hereditaments respectively; and every such Enfranchisement of such Copyhold or Customary Messuages, Lands, Tenements and Hereditaments, and every such Release and Discharge of and from all such Estate, Rights, Claims, Fines, Heriots, Quit Rents, Chief Rents, Reliefs, Customs and Services, shall be mentioned and described in the said Award to be made by the said Commissioners, and the respective Deeds of Enfranchisement, shall be enrolled in the Court Books of the said Manor.

XXXVII. And be it further enacted, That all and every such Copyhold or Customary Messuages, Lands, Tenements and Hereditaments, to be enfranchised by virtue of this Act, shall at all Times from and after the making and executing of the said Award by the said Commissioners, for ever thereafter be held and enjoyed by the several and respective Person and Persons entitled to the same, as Freehold Estates of Inheritance, freed and discharged of all Fines, Heriots, Quit Rents, Chief Rents, Reliefs, Customs and Services whatsoever; and the same shall, from and after such Enfranchisement, be granted, bargained, sold, released, conveyed, or assured by Deed, or devised by Will, in the like Manner as other Freehold Estates of Inheritance are conveyed and devised; and on the Death of any Person who shall be Owner of any such Estate, without a Will, shall descend to his or her Heirs, in such Manner as other Freehold Estates of Inheritance descend.

Copyholds, after Award and Compensations made, to be held and descend as Freehold.

XXXVIII. And be it further enacted, That the Lands to be assigned, allotted and appointed to the said Lord of the said Manor, for the Enfranchisement of the said Copyhold or Customary Messuages, Lands, Tenements or Hereditaments, and for releasing and discharging his Estate in, and all Fines, Heriots, Quit Rents, Chief Rents, Reliefs, Customs and Services due or payable to them from, out or in respect of the same as aforesaid, shall from and after the making and executing of the said Award by the said Commissioners, become vested in the Lord of the said Manor of *Buckden* with its Members, for such and the like Estate and Interest, and for such and the same Uses, as the said Manor and his Estate in, and the Fines, Heriots, Quit Rents, Chief Rents, Reliefs, Customs and Services due or payable from, out or in respect of the said Messuages, Lands, Tenements and Hereditaments, so to be enfranchised, were held, limited or settled at the Time of making and executing the said Award as aforesaid.

Lands given for Enfranchisement, to be held for the same Uses as Manor.

XXXIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, with such Consent as aforesaid, to receive any Sum or Sums of Money which may be agreed to be paid for the Enfranchisement of any Customary or Copyhold Messuages, Lands, Tenements or Hereditaments held of the said Manor of *Buckden* with its Members, instead of setting out or allotting any Part of such Customary or Copyhold Messuages, Lands or Tenements, as a Consideration for such Enfranchisements, and to apply and dispose of all such Sum or Sums of Money for any of the Purposes for which they are herein-after authorized to sell or dispose of any of the Demesne Lands of the said Bishop of *Lincoln*: Provided also, that it shall not be lawful for the said Commissioners to en-

Enfranchisement on Consideration of Money Payment,

franchise any greater Part of such Messuages, Lands, Tenements or Hereditaments, in Consideration of a Sum or Sums of Money to be paid to them, than will raise Money sufficient to answer the Purposes for which the said Commissioners are herein-after enabled to sell any Demefne Lands belonging to the said Bishop of *Lincoln*.

Free Boards.

XL. And be it further enacted, That in all Cases where any of the Lands and Grounds by this Act directed to be divided and inclosed, shall adjoin to any Free Board or Parcel of Land left on the Outside of the Fences of any adjoining Parish, Township, or Place, it shall and may be lawful for the said Commissioners, and they are hereby authorized and required to set out, and allot unto the Owner or Owners of such Free Board or Parcel of Land, such Piece or Parcel of the Lands or Grounds hereby directed to be divided and inclosed, as shall in their Judgment be equal in Value to such Free Board or Parcel of Land as aforesaid; and the Fences adjoining to such Free Board or Parcel of Land, and now belonging to any adjoining Parish, Township, or Place, shall for ever thereafter be maintained and supported by and at the Expence of the Owner or Owners of such Free Board or Parcel of Land respectively; and that the Allotment or Allotments so to be set out as aforesaid in lieu thereof, shall be deemed and taken to be Part and Parcel of the Parish, Township, or Place to which the said Free Board or Parcel of Land in lieu of which it shall be allotted as aforesaid belongs.

For allowing Exchanges.

XLI. And be it further enacted, That it shall be lawful for the said Commissioners to set out, allot, and award any Messuages, Lands, Tenements, or Hereditaments within the said Parish of *Buckden*, in lieu of and in exchange for any other Messuages, Lands, Tenements, or Hereditaments within the said Parish, or within any adjoining Parish, Hamlet, Chapelry, Manor, Township, or Place; provided that all the said Exchanges be ascertained, specified, and declared in the Award of the said Commissioners, and be made with the Consent of the Owner or Owners of the Lands, Tenements, Hereditaments, and Premises which shall be so exchanged, whether such Owner or Owners shall be a Body or Bodies Politic, Corporate, or Collegiate, 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 by Copy of Court Roll for any Life or Lives, or for Years determinable on any Life or Lives, and with the Consent of the Guardians, Trustees, Feoffees for Charitable and other Uses, Husbands, Committees, or Attornies of, or acting for, any such Owner or Owners as aforesaid, who at the Time of making such Exchange or Exchanges shall be respectively Infants, Females 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 the Body or Bodies Politic, Corporate or Collegiate, and under the Hands of the other consenting Parties respectively; and all and every Exchange or Exchanges so to be 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 Lands, Tenements, or Hereditaments held in right of any Church, Chapel, or other Ecclesiastical Benefice; without the Consent testified as aforesaid of the Patron thereof, and of the Bishop of the Diocese, in which such Lands, Tenements, or Hereditaments so to be exchanged shall be situate.

XLII. And

XLII. And be it further enacted, That all Costs, Charges, and Expences attending the making of every Exchange or Partition, by virtue of the said recited Act or this Act, shall be paid, borne, and defrayed by the several Persons making such Exchanges or Partitions, in such Shares or Proportions, at such Time or Times, and to such Person or Persons as the said Commissioners shall, by their Award, or any other Writing under their Hands, direct or appoint.

For Payment
of Expences
of Exchanges.

XLIII. And be it further enacted, That all Leases and Agreements for Leases at Rack Rent, now subsisting of all or any of the Lands, Tenements, and Hereditaments, which shall be divided, allotted and exchanged, by virtue of this Act, shall cease and be void at such Time or Times as the said Commissioners, by Writing under their Hands, to be affixed upon the Church Door of the said Parish of *Buckden* shall direct, the respective Lessors or Landlords making such Satisfaction in Money to their Lessees or Tenants for the Losses they shall sustain by the Determination of their respective Leases or Agreements, as the said respective Parties shall agree upon, or as the said Commissioners shall, upon an Application made to them in Writing, by either Party order and direct; and if the Money so to be paid as aforesaid shall not be paid according to the Directions of the said Commissioners, within Fourteen Days after Demand thereof, in Writing, under the Hand or Hands of the Person or Persons to whom the same shall be payable, it shall be lawful for the said Commissioners, and they are hereby required to raise and levy the same for the Use and Benefit of the Person or Persons entitled thereto, by such Ways and Means as the Costs, Charges, and Expences of obtaining and executing this Act may be raised and recovered: Provided always, that if there shall be any such Lease or Agreement at Rack Rent of Lands, Part of which lie in the said Parish, and Part in any adjoining Parish, all such Leases and Agreements may be determinable as aforesaid; but where any Lands shall have been taken in Exchange, which Lands shall be under such Lease or Agreement, and wholly situate in any adjoining Parish, such last mentioned Lease or Agreement shall not be determined by virtue of this Act: Provided also, that nothing herein contained shall extend, or be construed to extend, to set aside, or make void, any Lease or Leases from any Bodies Politic or Corporate, Person or Persons, for any Life or Lives, or for Twenty-one Years, or any longer Term, for the granting of which a Fine has been taken of any Lands, Tenements, Tythes, or Hereditaments, to any Person or Persons whomsoever, but the Person or Persons entitled to such beneficial Lease shall and may hold and enjoy his, her, and their several and respective Allotments, of or for such Lands, Tenements, Tythes, and Hereditaments, for his, her, or their several or respective Terms, and under the same Rents and Covenants as are specified in his, her, or their respective Leases from the same Bodies Politic or Corporate, Persons or Person, to him, her, or them respectively.

For vacating
Leases at
Rack Rent.

Not to vacate
beneficial
Leases.

XLIV. And be it further enacted, That all and every the Allotment and Allotments, to be made by virtue of this Act, in and upon the several Lands and Grounds so to be allotted and awarded upon the said Division and Inclosure, and the several Messuages, Lands, Tenements, or Hereditaments, which shall be given or taken in Exchange, in pursuance of the said recited Act and this Act, shall, immediately after such Allotments and Exchanges have been made as aforesaid, and the Award of the said Commissioners executed, be, remain, and enure to the several Persons to whom

Wills and Set-
tlements not
to be affected.

the same shall be respectively allotted, or given or taken in Exchange as aforesaid, who shall from thenceforth stand and be seised and possessed thereof, to such and the same Uses, Estates, Trusts, and Purposes, and subject to such and the same Covenants, Uses, Wills, Settlements, Limitations, Powers, Remainders, Leases, (except Leases at Rack Rent) Charges, and Incumbrances, as the several and respective Messuages, Lands, Tenements, or Hereditaments, in lieu of which such Allotments or Exchanges shall be respectively made or taken as aforesaid, are now held, or would have been subject to be charged with, or affected by, in case this Act had not been made, any Custom or Usage to the contrary notwithstanding.

Commissioners to direct the Course of Husbandry.

XLV. And be it further enacted, That from and after the passing of this Act, until the Execution of the said Award, all the Arable and Grass Lands, hereby directed to be divided and inclosed, shall be subject and liable to such Directions and Regulations as the said Commissioners shall, from Time to Time, by any Writing under their Hands, order, direct, or appoint, as well with regard to the stocking as to the ploughing, tilling, sowing, or laying down the same, any Usage or Custom of stocking or sowing to the contrary notwithstanding; and the said Commissioners are hereby authorized and empowered, at their Discretion, to appoint One or more Person or Persons, to superintend the proper Execution of all or any of their Orders and Directions, with respect to such ploughing, sowing and tilling, manuring, and laying down the said Lands and Grounds, hereby directed to be divided and inclosed, and the Charges and Expences attending such ploughing, sowing and tilling, shall be paid by the respective Persons who shall receive the Benefit thereof, or the Person or Persons to whom such Lands shall be allotted, and at such Time, and in such Manner and Proportions as the said Commissioners shall, by any Writing or Writings under their Hands, direct and appoint, to be recoverable and recovered, in such Manner, and by such Ways and Means, as the Expences of this Act are herein-after directed to be raised, levied, and recovered; and that no Meadow or Pasture Ground, Part of the Lands and Grounds hereby directed to be divided and inclosed, and not in tillage at the Time of passing this Act, shall, before such Division and Allotment shall be made as aforesaid, be ploughed, broken up, or converted into tillage, without the Consent, in Writing, of the said Commissioners; and every Occupier of any such Lands or Grounds, who shall refuse or neglect to comply with any such Direction of the said Commissioners, or who shall plough, break up, or convert into tillage, any such Meadow, Pasture, or fresh Ground, without the Consent in Writing, of the said Commissioners, shall forfeit and pay any Sum not exceeding Ten Pounds for every Acre of such Tillage Land, with respect to which such Refusal or Neglect shall happen, and for every Acre of such Pasture, Meadow, or fresh Ground, as shall be ploughed, broken up, or converted into tillage, and so in Proportion for a greater or less Quantity than an Acre, as the said Commissioners shall, by Writing under their Hands, fix and determine to be recovered and recoverable, in the same Manner as any Fine or Penalty can or may be recovered, by virtue of the said recited Act, or this Act.

Commissioners to make Compensation for standing Crops.

XLVI. And be it further enacted, That the said Commissioners shall, and they are hereby authorized, empowered and required, by any Writing or Writings under their Hands, to ascertain, order and appoint what Recompence and Satisfaction in Money shall be made to any Owner or Owners of

of any Crop or Crops of Corn or Turnips growing upon the Lands and Grounds hereby directed to be divided and allotted by virtue of this Act, at the Time such Allotment or Division shall be made, for the said Crops, by the Person or Persons to whom the Lands and Grounds on which such Crops are growing shall be allotted, unless such Owner or Owners shall, within the Time to be appointed by the said Commissioners for that Purpose, declare his, her or their Intention to cut, reap, and carry away, or feed off the same; and in case of Non-payment of such Recompence and Satisfaction for such Crops at the Time and in the Manner to be directed by the said Commissioners, or in case of such Election, to reap and take away, or feed off the same, then it shall be lawful for such Owner or Owners, and his, her, and their Agents, Servants and Workmen, with Horses, Carts and Carriages, and with Sheep or other Cattle, to enter into and upon the Lands and Grounds whereon such Crops shall be growing, and to cut, reap, carry away, or feed off the same for his and their own Use: Provided always, that all such Crops of Turnips shall be consumed upon the Lands whereon the same may be growing, and be fed off in an Husbandlike Manner; and the said Commissioners shall, and they are hereby authorized and required, by any Writing or Writings under their Hands, to ascertain, order, and appoint, what Recompence and Satisfaction in Money shall be paid, and by whom, to any Owner or Owners, of any Plants or Seeds growing upon the said Lands hereby directed to be divided and inclosed at the Time of the said Division and Allotment; and also what Recompence and Satisfaction in Money shall be paid, and by whom, to any Tenant or Tenants, Occupier or Occupiers of any Land within the said Parish of *Buckden*, as well for ploughing, tilling or manuring any of the Lands or Grounds which shall be allotted and divided by virtue of this Act, for the Benefit and Advantage accruing thereby to the Person or Persons to whom such Lands and Grounds shall be allotted, as for any Loss or Disadvantage which any such Tenant or Tenants, Occupier or Occupiers shall or may sustain by Means of the said Division or Allotment, or by the Loss of their fallowing or way-going Crops upon the Lands and Grounds by this Act directed to be divided and inclosed as aforesaid, or by his, her, or their Allotment or Allotments falling, or happening to be laid in the Fallow Field; and if in any or either of the said Cases the Money to be paid for such Recompence and Satisfaction shall not be paid at the Time and in the Manner to be appointed as aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and required to raise and levy the same for the Use of the Person or Persons entitled thereto, by such Ways and Means, as the Costs, Charges, and Expences of obtaining and executing this Act may be raised and levied, if raised by Rate: Provided also, that it shall be lawful for the said Commissioners, if they shall think fit, to order and direct that any such Allotment or Allotments as aforesaid, or any Part thereof, shall remain in the Possession of the former Occupier or Occupiers thereof for any Period they shall appoint, between the Time of setting out such Allotments and the Execution of their Award.

XLVII. And be it further enacted, That the Costs, Charges, and Expences occasioned by or incident to, and attending the obtaining and passing of this Act, and of surveying, measuring, planning, valuing, dividing, and allotting the Lands and Tenements to be divided, allotted, and discharged from Tythes by virtue of this Act, and of preparing and inrolling the Award of the said Commissioners, and all Costs and Charges that the said Com-

[*Loc. & Per.*]

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missioners

For raising
the Expences.

Commissioners and the said Umpire shall be put unto in respect of any Appeal or Appeals against their Decisions, or of any Suit or Suits at Law or in Equity that may be instituted by or against them as Commissioners or Umpire in the Execution of this Act, and all reasonable Charges and Expences of the Assistants and other Persons employed by them in and about the Execution of this Act, either before or after the Execution of the said Award; and all the Expences of forming, making, repairing, or completing the public or private Carriage Roads, Highways, Drains, and Bridges, to be set out and appointed by the said Commissioners, and other Expences of carrying this Act into full and complete Execution, shall, except where otherwise directed by this Act, or by the said Commissioners in pursuance thereof, be borne and defrayed by the several Persons to whom any Allotment or Allotments shall be made, or whose Lands shall be discharged from Tythes by virtue of this Act (except the said Impropiator and his Lessee or Lessees, and the said Vicar in respect of the said impropriate Rectory and Vicarage respectively,) in such Shares and Proportions as the said Commissioners shall ascertain, settle, and direct; and the same shall be raised wholly or in part, either by a Sale or Sales of the said Lands and Grounds, to be made in Manner directed by the said recited Act, or wholly or in part, by a Rate or Rates on the said respective Proprietors, as the said Commissioners shall think most convenient and proper; and the said Commissioners are hereby authorized and empowered, from Time to Time, to make and form Estimates of all such Costs, Charges, and Expences, and to raise the Amount of such Estimates at any Time either before or after the Execution of their Award, as they shall deem necessary or proper.

Commissioners not to raise more Money by Sale of Land than the Party might charge on the Estate.

Not to charge the Lands and sell also.

Commissioners empowered to make Rates.

XLVIII. Provided always, and be it further enacted, That it shall not be lawful to raise by any such Sale or Sales as aforesaid, any further or greater Sum of Money, for the Purpose of defraying the Costs, Charges, and Expences of obtaining and executing this Act, than the Person or Persons, Part of whose Allotment or Allotments shall be sold by virtue of this Act, would have been empowered to borrow or charge upon his, her, or their Estate or Estates, under or by virtue of the said recited Act, for the Purpose of defraying the Costs, Charges, and Expences of obtaining and executing this Act, in case such Expences had only been authorized to be raised by a proportional Rate on the Proprietors of Lands and Grounds, to whom Allotments shall be made, instead of being raised by Sale of Lands, or Rate, as herein-before is authorized to be done: Provided also, that in all Cases where any Part of the Allotments of any of the said Proprietors or Persons shall be so sold for the Purposes before mentioned, it shall not be lawful for the Proprietors or other Persons, Part of whose Allotment shall be sold as aforesaid, to charge his or her Lands, Tenements, or Hereditaments, by virtue of the said recited Act, or this Act, with any Money towards Payment of any Costs, Charges, and Expences of obtaining and executing this Act.

XLIX. And be it further enacted, That if the said Commissioners shall think proper to raise the aforesaid Charges and Expences, or any Part or Proportion thereof, by a Rate or Rates as aforesaid, the same shall be paid by the several Owners or Persons interested in the said Open Fields, Meadows, Pastures, Commons, and Waste Lands, or whose Lands shall be discharged from Tythes, by virtue of this Act, (except the said Impropiator and his Lessee or Lessees, and the said Vicar in respect of the said impropriate Rectory and Vicarage as aforesaid,) in Proportion as near as may be, to the Benefit

Benefit which he or they shall respectively receive from the said Allotment, Division, and Inclosure, due Regard being had to the Expences occasioned by each Person's Estate, and also to the improved Value thereof; and the Shares and Proportions of the said Costs, Charges, and Expences, to be paid and borne by the respective Owners and Persons interested as aforesaid, shall be ascertained and determined by the said Commissioners, and shall be paid at such Time and Place, or Times and Places, to such Person or Persons, and in such Manner as the said Commissioners shall order and direct, by any Writing under their Hands, either before or after the Execution of their Award, to be affixed on the principal Door of the said Parish Church, on some *Sunday* during Service, at least Twenty-one Days before the Time appointed for such Payment; and in default of Payment thereof, or of any Part or Parts thereof, according to such Direction or Appointment as aforesaid, the same shall and may be recovered with Interest from the Time when the same ought to have been paid in the Manner directed or authorized by the said recited Act.

L. And be it further enacted, That it shall be lawful for the respective Proprietors or Persons seized or entitled to any Estate for Life or Lives, or for Years determinable on any Life or Lives, or of Inheritance of, in, or to any Lands, Tenements, or Hereditaments hereby directed to be divided and inclosed, or to any Allotment or Allotments which shall be set out in pursuance of this Act, and for the Husbands, Guardians, Trustees, Committees, or Attornies of any such Proprietors being Females Covert, Infants, Lunatics, beyond the Seas, or under any other legal Disability or Incapacity of acting for themselves, and for the Feoffees and Trustees of Estates appropriated to the Use of the Poor of the said Parish, or to any other charitable Purposes, at any Time or Times, either before or after the Execution of the said Award, with the Consent of the said Commissioners, in Writing under their Hands, to charge such respective Lands, Tenements, Hereditaments, and Allotments as aforesaid, or any of them, or any Part or Parts thereof respectively, with any Sum or Sums of Money not exceeding Five Pounds *per Acre*, which shall appear to the Satisfaction of the Commissioners to have been, or to be proper or necessary to be paid, laid out, and expended by them the said Proprietors respectively, or by their respective Direction for inclosing, subdividing, hedging, and fencing their respective Allotments as aforesaid; and for so much and such Part of their respective Proportions of the Expences of passing this Act, and carrying the same into Execution, as shall have been charged or assessed upon such Proprietors, by virtue of any Rate or Rates hereby authorized to be made, and also of the Expences of preparing such Securities respectively, the same when raised to be paid to such Person or Persons as the said Commissioners shall appoint, in order to be applied and disposed of for the Purposes aforesaid, with lawful Interest for such Sum or Sums of Money, and for better securing the Payment of such Sum or Sums of Money, with Interest, to convey by way of Mortgage, without Impeachment of Waste, any such Lands, Tenements, Hereditaments, and Allotments as aforesaid, or any of them, or any Part or Parts thereof, to the Person or Persons who shall respectively pay, lay out, and expend such Sum or Sums of Money, or to such Person or Persons as he, she, or they, his, her, or their Executors or Administrators shall respectively appoint, so as every such Conveyance by way of Mortgage as aforesaid, be made with a Proviso, that no Person in Remainder or Reversion becoming entitled in Possession to the Hereditaments and Premises therein expressed, shall be liable to pay any further or larger Arrear of Interest on the Money so secured, than

than for One Year preceding the Time at which the Title to such Possession shall have commenced, and every such Conveyance by way of Mortgage, as shall be made in pursuance of this Act, either before or after the Execution of the said Award, shall be good, valid, and effectual in the Law, for the Purposes thereby intended.

Copyhold
Lands to be
surrendered.

LI. Provided always, and be it further enacted, That when and as often as it may be necessary to charge any such Lands, Tenements, or Hereditaments as shall be of Copyhold Tenure, with any Sum or Sums of Money by way of Mortgage as aforesaid, then and in such Case such Copyhold Lands and Premises shall be surrendered to the Use of such Person or Persons as shall lend and advance such Sum or Sums of Money, 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.

Power to sell
Part of the
Allotments or
Lands of the
Bishop of
Lincoln, for
certain Pur-
poses.]

LII. Provided always, and be it further enacted, That the said Commissioners shall, and they are hereby required to set out such Part or Parts of the Lands to be by virtue of this Act allotted to the said Bishop of *Lincoln*, Prebendary of the said Prebend, and his Successors, and his and their Lessee or Lessees, for or in respect of their Glebe Lands, Common Rights, and impropriate Tythes, as will in the Opinion of the said Commissioners by Sale thereof raise such Sum and Sums of Money as will be sufficient to defray and pay the Charges and Expences of the Subdivision Fences of the said Glebe and Tythe Allotments, which in the Judgment of the said Commissioners will be necessary for the convenient Occupation of the Land to be allotted to the said Impropiator and his Successors, and his and their Lessee or Lessees; and also that the said Commissioners shall, and they are hereby required to set out such Part or Parts of the old inclosed Demesne Lands of the said Bishop of *Lincoln*, and of the Lands to be by virtue of this Act allotted to the said Bishop of *Lincoln* and his Successors, for or in respect of his Right of Soil and Demesne Lands, as will in the Opinion of the said Commissioners raise by Sale thereof a Sum or Sums of Money sufficient to defray and pay his and their proportionate Share of the Charges and Expences of passing and executing this Act, and also his and their Charges and Expences of fencing, mounding, and quicking the Allotment or Allotments for such Right of Soil and Demesne Lands, in such Manner as the said Commissioners shall judge to be necessary for the convenient Occupation of such Allotment or Allotments; and also such further Sum of Money not exceeding Three hundred Pounds, as will be sufficient to defray and pay the Charges and Expences of erecting and building a good and substantial Barn upon any Part of the old inclosed Demesne Lands of, or on any Part of the Allotment or Allotments to be made in respect of the Open Field, Demesne Land, to the said Bishop of *Lincoln*, and of such Dimensions as the said Commissioners shall direct, in case they should judge such a Building necessary to be erected and built; and the said Commissioners are hereby authorized and required to proceed in the Sale of such Lands so respectively to be set out in the Manner prescribed by the said recited Act, in Cases of Sales of Land for the Payment of Expences attending the Execution of Acts of Inclosure; and the Lands so directed to be sold, and for which the full Purchase Monies shall be paid, shall immediately thereupon be conveyed and assured by the said Commissioners to the Purchaser or Purchasers thereof, their, his, or her Heirs and Assigns, and the Hereditaments so conveyed shall

shall accordingly become vested in the Purchaser or Purchasers thereof in Fee Simple; and such Purchase Monies respectively shall forthwith be applied by the said Commissioners for the respective Purposes for which the same are hereby directed to be raised.

LIII. And be it further enacted, That if any of the Proprietors, or any other Person or Persons shall advance or lend any Money, for defraying the Expences of applying for, and obtaining this Act, or carrying the same into Execution, every such Person or Persons shall be repaid the Money so advanced, with Interest for the same, after the Rate of Five Pounds *per Centum per Annum*, out of the First Monies which shall be raised by virtue of this Act. Interest to be paid on Money advanced towards Expences of the Act.

LIV. And be it further enacted, That the said Commissioners and Umpire acting under the Authority of this Act, and also the Clerk to be appointed by the said Commissioners, shall be paid and allowed the Sum of Three Pounds and Three Shillings, and no more, for each Day they shall respectively attend in the Exercise of the several Powers, and in the Execution of this Act, and in travelling to and from the Meetings to be held under the same, and that they shall bear and pay thereout their own Expences. Allowance to Commissioners.

LV. And be it further enacted, That the said Proprietors, their Attornies or Agents, shall bear and pay their own Expences, when they or any of them shall attend the said Commissioners, at any of their Meetings to be holden in pursuance of this Act. Proprietors to pay their own Expences.

LVI. And be it further enacted, That *Owsley Rowley of Priory Hill*, in the Parish of *Saint Neotts*, in the County of *Huntingdon*, Esquire, shall be, and he is hereby appointed Auditor of the Accounts of the said Commissioners; and in case of his Death or Refusal, or Incapacity to act, then some other fit and proper Person (not interested in the said Premises) shall be appointed Auditor for that Purpose, by the Majority in Value of the Proprietors liable to the Expences of obtaining this Act, and so from Time to Time as often as Occasion shall require; and the Accounts of the said Commissioners for the Time being, containing a true Statement of all Sums by them received and expended, shall at least once in every Year from the passing of this Act, until such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by the said Auditor for the Time being, and balanced, and such Balance shall be stated in the Book of Accounts, to be kept in the Office of the Clerk to the said Commissioners, and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in the Law, unless the same be duly allowed by such Auditor. Auditor of the Commissioners' Accounts appointed.

LVII. And be it further enacted, That the Award to be made by the said Commissioners when enrolled in Manner directed by the said recited Act shall, together with a Plan thereto annexed, be deposited and kept with the Parish Registers, in the Parish Church of *Buckden* aforesaid, and it shall and may be lawful to and for the several and respective Owners and Proprietors of Lands and Premises, lying within the said Parish, and their Agents, from Time to Time, and at all Times to have Access thereto; and the Person or Persons for the Time being having the Custody thereof, is and are hereby

[*Loc. & Per.*]

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required

required to permit and suffer such Owners or Proprietors, or their Agents, to inspect or take Extracts or Copies therefrom, without paying any Thing for so doing.

Persons ag-
grieved may
appeal to the
General
Quarter Ses-
sions.

LVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done, or omitted to be done, in pursuance of the said recited Act or this Act, then and in every such Case, except where the Orders, Determinations, and Proceedings of the said Commissioners or Umpire, are by the said recited Act or this Act, declared to be binding, final, and conclusive; and except in Cases where an Issue at Law shall be tried, as is herein-before mentioned, he, she, or they may appeal to the General Quarter Sessions of the Peace, to be holden in and for the County of *Huntingdon* aforesaid, within Four Months next after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving to the said Commissioners, or their Clerk, and to the Party or Parties interested therein, Fourteen Days Notice at least, in Writing, of such Appeal, and of the Matter thereof, and the Justices at such General Quarter Sessions are hereby required to hear and determine the Matter of every Appeal, and to make such Order therein, and to award such Costs as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) on Demand 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 upon all Parties concerned, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere.

Certain
Rights of the
Vicar not to
be affected by
the Act.

LIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice, lessen, defeat, or in any respect affect the Right, Title, or Interests of the Vicar of *Buckden*, for the Time being, in or to a certain Sum of Eighteen Pounds Two Shillings and Sixpence, payable annually to him, out of the Prebend of *Buckden* aforesaid, or in or to Four Quarters of Wheat, and Six Quarters of Barley, with which the Prebendary of the said Prebend, or his Lessees or Lessee is or are liable annually to supply the Vicar of *Buckden* aforesaid for the Time being; or to authorize the said Commissioners to make any Allotment or Compensation in lieu thereof; but such Sum of Money, and Corn or Grain, shall be paid and delivered at such Time and Times, as the same might or could have been required to be paid and delivered, in case this Act had not passed.

General
Saving.

LX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every Person and Persons, Bodies Politic, Corporate and Collegiate, their Heirs, Successors, Executors, and Administrators, all such Estate, Right, Title, and Interest, (except such as are meant or intended to be barred or destroyed by this Act) which he, they, every or any of them, had and enjoyed, of, in, to, or out of the said Open Fields, Meadows, Pastures, Commons, and Waste Lands, hereby directed to be divided and inclosed, before the passing of this Act, or would, or could, or might have had and enjoyed, in case this Act had not been made.

LXI. And

LXI. 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 that a Copy thereof so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices, and others.

Act printed
by the King's
Printer, to be
Evidence.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1813.

