



# Commons Act 1876

## 1876 CHAPTER 56

### PART III

#### *Miscellaneous*

**34 Repeal of Certain parts of the Inclosure Act, 1845, and amendment of law as to reports**

There shall be repealed so much of section thirty of the Inclosure Act, 1845, as prescribes a limit, to the quantity of land to be allotted to recreation grounds; also the twenty-fourth, twenty-fifth, twenty-sixth, and twenty-seventh sections of the Inclosure Act, 1845, and the Inclosure Commissioners shall not be required to repeat, in their general annual report, any of the particulars in relation to the regulation or inclosure of commons which they may have stated in any other reports made, by them in pursuance of this Act in relation to such commons, but they may refer to such other reports, or give a summary thereof, or otherwise deal with the same as may be thought expedient.

**35 Act not to apply to metropolitan commons**

This Act, save as herein expressly provided, shall not apply to any metropolitan common within the meaning of the Metropolitan Commons Acts, 1866 and 1869.

**36 A common regulated under Act not to be inclosed without sanction of Parliament**

Where an Act of Parliament has been passed confirming a provisional order under this Act for the regulation of a common, then, subject to and without prejudice to the provisions of that order, such common shall not, nor shall any part thereof, be inclosed without the sanction of Parliament subsequently obtained.

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*Status: This is the original version (as it was originally enacted).*

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## *Definitions*

### **37 Definition**

In this Act, unless the context otherwise requires,—

" A common " means any land subject to be inclosed under the Inclosure Acts, 1845 to 1868:

" Wasteland of a manor " means and includes any land consisting of waste land of any manor on which the tenants of such manor have rights of common, or of any land subject to any rights of common which may be exercised at all times of the year for cattle levant and couchant, or to any rights of common which may be exercised at all times of the year, and are not limited by number or stints:

" Person " includes a body corporate :

" Inclosure Acts, 1845 to 1868 ," means the Acts mentioned in the schedule hereto, and each of the Acts mentioned in the said schedule may be cited by the short title in such schedule in that behalf mentioned; and the above-mentioned Acts together with this Act may be cited as " The Inclosure Acts, 1845 to 1876 " :

" Municipal borough " means any place for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of " municipal corporations in England and Wales," and the Acts amending the same :

" Improvement Act district " means any area subject to the jurisdiction of any commissioners, trustees, or other persons invested by any local Act of Parliament with powers of improving, cleansing, lighting, or paving any town:

" Local government district " has the same meaning as it has in the Public Health Act, 1875.