



# Commons Act 1876

1876 CHAPTER 56 39 and 40 Vict

## PART II

### AMENDMENT OF THE INCLOSURE ACTS

#### *Field Gardens and Recreation Grounds*

#### **26 Amendment of law as to letting field gardens.**

.....<sup>F1</sup> Allotment wardens, if they are unable to let the allotments under their management, or any portion thereof, to the poor inhabitants of the parish in gardens not exceeding a quarter of an acre, may let the same, or any unlet portion thereof, in gardens not exceeding an acre each to such inhabitants as aforesaid: Further, it shall be the duty of allotment wardens to offer the gardens under their management to the poor inhabitants of the parish at a fair agricultural rent, if from time to time sufficient to satisfy all rates, taxes, tithes, tithe rentcharge and the rentcharge charged on the said allotments under the provisions of the <sup>M1</sup>General Inclosure Act 1845, but not otherwise, instead of at such rent as is required by the said Act. Moreover, if in any parish the allotment wardens are unable to let the allotments under their management, or any portion thereof, to the poor inhabitants of the parish in such quantities and at such rents as aforesaid, they may let the same, or such portion as may be unlet to any person whatever at the best annual rent which can be obtained for the same, without any premium or fine, and on such terms as may enable the allotment wardens to resume possession thereof within a period not exceeding twelve months, if it should at any time be required for such poor inhabitants as aforesaid.

This section shall apply to all land allotted to the poor for the purpose of cultivation under any Inclosure Act whatever, whether public or private, whether under the management of allotment wardens, feoffees, trustees, rector, or vicar and churchwardens, overseers, managers, or any other person or persons whatever, and whether at present cultivated or uncultivated, so that all such persons as aforesaid shall have like powers and duties as are herein-before given to and imposed upon allotment wardens.

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*Changes to legislation: There are currently no known outstanding effects  
for the Commons Act 1876, Section 26. (See end of Document for details)*

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**Textual Amendments**

**F1** Recital omitted under authority of [Statute Law Revision Act 1894 \(c. 56\)](#)

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**Marginal Citations**

**M1** [1845 c. 118.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Commons Act 1876, Section 26.