



Inclosure Act 1845

1845 CHAPTER 118 8 and 9 Vict

9 Documents of the tithe commissioners may be used. Power to summon witnesses.

All awards, apportionments, agreements, writings and maps in the custody of the tithe commissioners for England and Wales shall be open to the use and inspection of the inclosure commissioners for England and Wales, or any person by them authorized; and such copies of or extracts from such awards, apportionments, agreements, writings, and maps as the commissioners shall require shall be furnished to them for the purposes of this Act; and the commissioners or any assistant commissioner may, by summons under the seal of the commission or under the hands of such assistant commissioner, require the attendance of all such persons as they or he may think fit to examine upon any matter relating to any inclosure or proposed inclosure or other proceeding under the authority of this Act, and also make any inquiries and call for any answer or return as to any such matter, and also administer or receive declarations, and examine all such persons upon declaration, and cause to be produced before them or him, upon declaration, all court rolls, and all rate books, instruments of tithe apportionment, and other public writings, maps, plans, and surveys, of or belonging to any parish, or copies thereof respectively, in anywise relating to any such matter^{F1}. . . . Provided always, that no such person shall be required to attend in obedience to any such summons unless the reasonable charges of his attendance shall have been paid or tendered to him; and no such person shall be required in any case, in obedience to any such summons, to travel more than ten miles from the place of his abode.

Textual Amendments

F1 Words in s. 9 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

Modifications etc. (not altering text)

C1 Custody of documents of Tithe Commissioners for England and Wales transferred to Commissioners of Inland Revenue: [Tithe Act 1936 \(c. 43\), s. 6](#), [Tithe Act 1951 \(c. 62\), s. 10\(5\)](#) and [S.I. 1959/1971 \(1959 II, p. 2618\), art. 2\(2\)](#).

Changes to legislation:

There are currently no known outstanding effects for the Inclosure Act 1845, Section 9.