



Inclosure Act 1845

1845 CHAPTER 118

IX Documents of the Tithe Commissioners may be used. Power to summon Witnesses.

And be it enacted, That 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 that 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; and the Commissioners may, when they shall think fit, by Summons under the Seal of the Commission, require the Attendance before any Valuer acting in the Matter of an Inclosure under this Act of all such Persons as the Valuer may certify to the Commissioners as Persons whose Testimony may be necessary for the Matter of such Inclosure, and cause to be produced before such Valuer, upon Declaration, all such Court Rolls, Rate Books, public Writings, Maps, Plans, and Surveys, or Copies thereof, as aforesaid; and every Valuer acting in the Matter of an Inclosure under this Act may also administer or receive Declarations, and examine upon Declaration all such Persons as shall attend before him under such Summons of the Commissioners, and all such Persons as may voluntarily attend before him as Witnesses in such Matter : 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.