



# Inclosure Act 1845

## 1845 CHAPTER 118

### **L Encroachments within Twenty Years.**

And be it enacted, That all Encroachments and Inclosures, other than Inclosures duly authorized by the Custom of any Manor of which such Land shall be Parcel, or otherwise according to Law, which shall have been made by any Person, from or upon any Part of the Land proposed to be inclosed, within Twenty Years next before the First Meeting for the Examination of Claims in the Matter of the Inclosure thereof, whether any Amerciament, Rent, or Money Payment or Acknowledgment shall or shall not have been paid or made in respect of the same, to or for the Use of the Lord of the Soil or any other Person, shall be deemed Parcel of the Land subject to be inclosed, and shall be divided, allotted, and inclosed accordingly : Provided always, that in case, under the Circumstances of any such Encroachments or Inclosures, it shall appear to the Commissioners just or reasonable that Rights or Interests in the Lands to be inclosed should be allowed to the Persons in possession of such Encroachments or Inclosures, it shall be lawful for the Commissioners, either in the Instructions to the Valuer, or by any subsequent Order under their Seal, to direct what Rights and Interests, either absolute or for any limited Terms or Estates, should be allowed in respect of such Encroachments, and the Valuer shall allow and declare such Rights accordingly : Provided also, that it shall be lawful for the several Persons who shall be in possession of any such Encroachments or Inclosures, or in the Receipt of the Rent thereof, at the Time of the Determination of Claims under this Act, to take down or remove all such Buildings, Fences, and other Erections as shall then be thereon, and to convert the Materials thereof to their own Use, within Two Calendar Months after Notice in Writing signed by the Valuer given to such respective Persons, or posted on the Church Door; and in case any Dispute or Difference shall arise touching any such Encroachments or Inclosures, or as to the Extent thereof, such Dispute or Difference shall be determined by the Valuer.