



Inclosure Act 1845

1845 CHAPTER 118

XCII Exchanges.

And be it enacted, That it shall be lawful for the Valuer to allot and award any Land to be inclosed in exchange for any other Land within the Parish in which the Land to be inclosed shall be situate, or any adjoining Parish ; and it shall be lawful for the Valuer, in exercise of this present Power, to allot all or any Part of the Land which would have been subject to be allotted under this Act, for the Purposes of Exercise and Recreation, or for the labouring Poor, or for any other public Purposes, to any Person, in exchange for other Land in the Parish or in any adjoining Parish which shall appear to the Valuer more suitable or convenient for the Purposes of Exercise and Recreation, or for the labouring Poor, or for such other public Purposes as aforesaid, and to allot such other Land for such Purposes accordingly; and all Lands taken and allotted as aforesaid under this Provision, although not situate in the Parish in which the Land given in exchange for the same shall be situate, shall for the Purposes of the Provisions herein contained be deemed to be within such Parish, and be managed and dealt with accordingly; provided that all Exchanges under which Land shall be taken and allotted for public Purposes as aforesaid shall be made with the Consent of the Person interested in the Land so taken, and that all other Exchanges be made with the Consent in Writing of the Persons interested in the Lands so exchanged; and every such Exchange so to be made shall be valid and effectual to all Purposes, and shall be specified and declared in the Award : Provided also, that no Exchange shall be made of any Land held in right of any Church or Chapel or other Ecclesiastical Benefice, without the Consent, testified in Writing, of the Bishop of the Diocese and the Patron of such Benefice: Provided also, that all Costs and Expenses attending the making and completing of any such Exchanges, except Exchanges of Land taken for public Purposes, shall be borne by the several Parties making such Exchanges in such Manner and in such Proportions as the Valuer shall direct, and in case of Nonpayment thereof shall be recovered in the Manner directed with respect to the Recovery of Penalties and Forfeitures ; and the Expenses of the Exchanges of Land taken for public Purposes shall be considered Part of the Expenses of the Inclosure.