



Inclosure Act 1845

1845 CHAPTER 118

XXII Proportional Interests, how estimated.

Provided always, and be it enacted, That the proportional Value of the respective Interests of the several Persons interested in any Land subject to be inclosed under this Act, or otherwise subject or to become subject to the Provisions of this Act, shall, so far as relates to the Power to sign any Application, or to give any Notice or Consent, or to vote at any Meeting under this Act, be estimated as herein-after mentioned ; (that is to say,) where their Interests shall be in respect of Land or other rateable Property, then according to the proportional Sums at which such Land or rateable Property shall be rated to the Relief of the Poor; and when their Interests shall be in respect of Rights of Common enjoyed or claimed in respect of any Land, and not defined by Numbers or Stints, then, according to the proportional Sum at which the Land in respect of which they enjoy or claim such Rights of Common shall be rated to the Relief of the Poor; and in case such Interests shall be in respect of Rights in a Gated or Stinted. Pasture, or of other Rights defined by Numbers or Stints, then according to the proportional Amount of their respective Numbers or Stints; but in case such Interests shall be in respect of Rights of Common in gross, not rated to the Relief of the Poor, and not defined by Numbers or Stints, or in case, from any other Cause, it shall appear to the Commissioners, or to the Assistant Commissioner presiding at any Meeting held for the Purposes of this Act, impracticable to estimate such proportional Value in manner aforesaid, it shall be lawful for the Commissioners or such Assistant Commissioner to direct in what Manner such proportional Value shall be estimated, regard being had to the Circumstances of each particular Case: Provided always, that in every Case in which such Assistant Commissioner shall have directed in what Manner such proportional Value shall be estimated under the Power herein-before contained he shall specially report to the Commissioners the Circumstances under which it shall have become necessary to exercise such Power, and the Directions he shall have given in the Exercise thereof.