

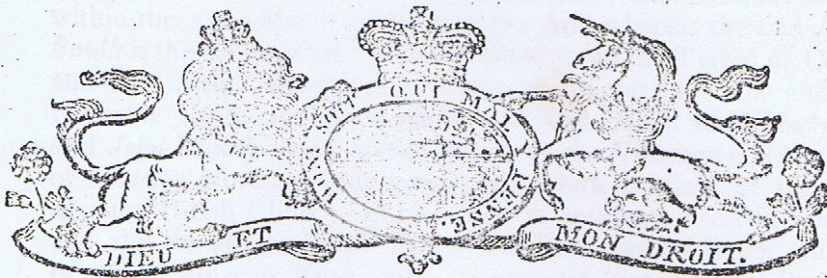
Act of Enclosure in Walesby

Walesby had for many years 3 large fields where the villagers had rights to grow their own crops and rear animals. The fields were situated on the west of the vallage on what is now Retford Road.

Acts of Enclosure were passed by Parliamnet that allowed the fields to be taken out of use by private landowners and the common rights to use them were lost. This had been happening on a small scale since the 13th Century and there was a mass of these acts through Tudor times. A further rush of enclosure cam from the end of the 18th century until around 1860, Walesby was enclosed in this latter period.

The following is taken from a book of the Acts of Enclosure printed in 1843 is for Walesby and Kirton. The actual act was passed in 1821 with enclosure occurring shortly afterwards.

This was the end of the old ways in agriculture and the depopulation of rural areas throughout the country.



ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. 8.

An Act for inclosing Lands in the several Parishes of *Walesby*, *Kirton*, and *Egmanton*, in the County of *Nottingham*, and for exonerating the same, and also the old inclosed Lands and Grounds within the said several Parishes, from the Payment of Tythes. [6th April 1821.]

WHEREAS there are within the several adjoining Parishes of *Walesby*, *Kirton*, and *Egmanton*, in the County of *Nottingham*, certain Open and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds, and also divers ancient inclosed Lands and Grounds: And whereas the Honourable and Reverend *John Lumley Savile* is Lord of the Manors of *Walesby* and *Kirton* aforesaid, and Owner of the Soil of such Parts of the said Commons and Waste Grounds as are situate within the same Manors: And whereas Two Manors are claimed to exist within the said Parish of *Egmanton*, and the Most Noble *Henry Duke of Newcastle*, Knight of the most Noble Order of the Garter, is or claims to be Lord of one of the said Manors, and the said *John Lumley Savile* is or claims to be Lord of the other of such Manors, and the said Duke of *Newcastle* and *John Lumley Savile* claim to be respectively entitled to the Soil of such Parts of the said Commons and Waste Grounds as are situate within such respective Manors: And whereas *Henry Gally Knight Esquire* is Lord of the Manor of *Walesby*,

[Private.]

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loughby,

loughby, (a Hamlet within the said Parish of *Walesby*), and Owner of the Soil of such Parts of the said Commons and Waste Grounds as are situate within the same Manor of *Willoughby*: And whereas the said *John Lumley Savile* is the Impropiator of and entitled to all the Tythes of Corn, Grain, and Hay arising, renewing, growing, and increasing from and out of the tytheable Lands and Grounds in the said Parish of *Walesby*; and the said *John Lumley Savile* is also Patron of the Vicarage and Parish Church of *Walesby* aforesaid, and *George Holt* Clerk is Vicar of the said Vicarage and Parish Church, and as such is entitled to certain Glebe Lands, and also to all the Small Tythes and Ecclesiastical Dues, and Payments of what Nature or Kind soever to the said Vicarage and Parish Church belonging: And whereas the said Duke of *Newcastle* is Patron of the Rectory and Parish Church of *Kirton* aforesaid, and *Richard Morton* Clerk is Rector of the said Rectory and Parish Church, and as such is entitled to certain Glebe Lands, and to all and every the Great and Small Tythes growing, renewing, or arising within the said Parish of *Kirton*: And whereas *Pendock Barry* Esquire is the Impropiator of and entitled to certain Glebe Lands, and to all the Tythes of Corn, Grain, and Hay arising, renewing, growing and increasing from and out of the Lands and Grounds, in the said Parish of *Egmanton*, except certain Tythe-free Lands there, called *The Hall Grounds*, containing about Two hundred and fifty Acres, belonging to the said Duke of *Newcastle*: And whereas the said *Pendock Barry* is also Patron of the Vicarage and Parish Church of *Egmanton* aforesaid, and *Edward Smith* Clerk is Vicar of the said Vicarage and Parish Church, and as such is entitled to certain Glebe Lands, and also to all the Small Tythes and Ecclesiastical Dues and Payments of what Nature or Kind soever to the said Vicarage and Parish Church belonging: And whereas the said Duke of *Newcastle*, *John Lumley Savile*, *Pendock Barry*, and *Henry Gally Knight*, and divers other Persons, are the Owners and Proprietors of or otherwise interested in the said Open and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds:

41G.3.c.109.

His late Majesty King George the Third, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And whereas the Lands belonging to the several Proprietors in the said Open and Common Fields, and Meadows, lie very much intermixed and dispersed, and it would be of great Advantage to the several Parties interested therein, if the same, and also the said Commonable Lands, Moors, and Waste Grounds were divided, allotted and inclosed, and if the same, and also all the ancient inclosed Lands within the said several Parishes were discharged of Tythes, and a Satisfaction and Compensation made in lieu thereof in Manner herein-after mentioned; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Parkinson* of *Leyfields*, in the Liberty of *Rufford*, in the County of *Nottingham*, Gentleman, and *Benjamin Chambers* of *Tibbsel*, in the County of *Derby*, Gentleman, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed the Commissioners for dividing, allotting, and inclosing the several Open

Appointment
of Commis-
sioners.

and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds, within the said Parishes of *Walesby, Kirton, and Egmonton*, and for executing all and every the Powers of this and the said recited Act, subject nevertheless to such Powers, Authorities, Directions, Regulations, Restrictions, and Provisions contained in the said recited Act, as are not altered, varied, or otherwise provided for by this Act.

II. And be it further enacted, That in case the said *John Parkinson*, or any other Person to be nominated or appointed a Commissioner in his Room or Stead by virtue of this Act, shall die, neglect, or refuse to act, or become incapable of acting as such Commissioner in the Execution of this Act and the said recited Act, before all the Powers, Authorities, and Trusts hereby in the said Commissioners reposed shall be fully executed and performed, then and in such Case it shall and may be lawful on such Death, Neglect, Refusal, or Incapacity being signified or made known, by Notice in Writing affixed on the principal outer Doors of the Parish Churches of *Walesby, Kirton, and Egmonton* aforesaid, signed by the surviving or other Commissioner, or by the Clerk to the said Commissioners, for the several Proprietors of and Persons interested in the said intended Division and Inclosure (except only the said Duke of *Newcastle* and his Heirs), or the major Part in Value of them (such Value to be ascertained by the Assessments to the Poor Rates of the said respective Parishes for the then current Year), who shall be present in Person, or by their known Agents, from Time to Time, at any Meeting to be held for that Purpose within Two Calendar Months next after such Death, Neglect, Refusal, or Incapacity to act as aforesaid shall happen (Ten Days Notice being first given of such Meeting by the surviving or remaining Commissioner, who is hereby required to give or cause the same to be given by the Clerk to the said Commissioners before the same shall be held, by Writing to be affixed on the principal outer Doors of the Parish Churches of *Walesby, Kirton, and Egmonton* aforesaid, on some *Sunday* immediately before the Commencement of Divine Service) by Writing under the Hands of such of the same Proprietors or their Agents, to elect and appoint another Person (not interested in the said intended Division and Inclosure) to be a Commissioner in the Place and Stead of the said *John Parkinson*, and so from Time to Time as often as any Commissioner so to be appointed by the said Proprietors and Persons interested, shall die, neglect or refuse, or become incapable to act as aforesaid; and in case the said *Benjamin Chambers*, or any other Person to be nominated or appointed a Commissioner in his Room or Stead by virtue of this Act, shall die, neglect, refuse to act, or become incapable of acting as such Commissioner in the Execution of this Act, and the said recited Act, before all the Powers, Authorities, and Trusts hereby in the said Commissioners reposed shall be fully executed and performed, then and in such Case it shall be lawful to and for the said Duke of *Newcastle*, or his Heirs, and he and they is and are hereby required and empowered by Writing under his or their Hand or Hands, within Thirty Days next after every such Death, Neglect, Refusal, or Incapacity as aforesaid shall be known to him or them, by Notice in Writing under the Hand of the surviving or remaining Commissioner, which Notice such surviving or remaining Commissioner is hereby required to give or cause to be given as aforesaid, within the Space of Twenty Days next after such Death, Neglect, Refusal, or Incapacity shall

Appointment
of new Com-
missioners.

If Vacancies of Commissioners are not filled up by Parties in Two Months, the remaining Commissioner to elect.

shall be known to him, to appoint one other Person, not interested in the said Inclosure, to be a Commissioner in the Room of the said *Benjamin Chambers*, or of any succeeding Commissioner nominated and appointed in his Room or Stead, who shall so die, neglect, or refuse to act, or become incapable of acting as aforesaid, and so from Time to Time as often as any Commissioner to be nominated and appointed in the Room or Stead of the said *Benjamin Chambers* or his Successors shall die, neglect, or refuse to act, or become incapable of acting as such Commissioner as aforesaid; and in case the said respective Parties shall make default in appointing any such new Commissioner or Commissioners within Two Calendar Months next after any such Death, Neglect, Refusal, or Disability shall happen, and shall be known and signified to them respectively as aforesaid, then the surviving or remaining Commissioner shall and he is hereby required from Time to Time by Writing under his Hand, within One Calendar Month next after the Expiration of the said respective Periods allowed to the respective Parties for naming such new Commissioner respectively to be appointed as aforesaid, to appoint one other Commissioner not interested in the said Inclosure, in the Place of such Commissioner so dying, neglecting, refusing, or becoming disabled to act as aforesaid; and every such other new Commissioner so to be appointed shall have the like Powers and Authorities for carrying this Act into Execution, in all respects whatsoever, as the Commissioner in whose Place he shall have been so appointed and chosen as aforesaid was invested with under and by virtue of this and the said herein-before recited Act.

Power for Commissioners to appoint a Clerk.

III. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to appoint a Clerk to assist them in the Execution of the said recited Act and this Act, and shall and may remove such Clerk and appoint another in his Room as to them shall seem meet; and in case of the Death, Incapacity, Neglect, or declining to act of any such Clerk, then and in any such Case, the said Commissioners shall and may appoint any other Person they may think proper to be their Clerk.

Power to appoint an Umpire.

IV. And be it further enacted, That if any Difference of Opinion shall arise between the said *John Parkinson* and *Benjamin Chambers*, or their Successors, touching or concerning any Matter or Thing to be done by them by virtue or in the Execution of the said recited Act or this Act, then and in every such Case, such Difference shall be forthwith or with all convenient Speed referred to such fit and proper Person (not interested in the said Division and Inclosure), as the said *John Parkinson* and *Benjamin Chambers* or their Successors shall by Writing under their Hands appoint as Umpire between them, and which Appointment they are hereby required to make at the First Meeting to be held under this Act, and from Time to Time afterwards to renew the same in the Event of the Death, Refusal, Neglect, or Incapacity to act of the Person so appointed, and the Matter upon which such Difference shall arise, shall be settled and determined by such Person so to be appointed Umpire, whose Determination therein shall be deemed and taken to be the Determination of the said *John Parkinson* and *Benjamin Chambers*, or their Successors, and shall be reduced into Writing, and shall be binding and conclusive upon all Parties whomsoever (so far as the Acts and Determinations of the said Commissioners

Commissioners are by the said recited Act or this Act declared to be final or conclusive); and for the Purposes aforesaid, such Umpire shall have and he is hereby invested with the same Powers and Authorities as by the said recited Act and this Act are given to or vested in the said *John Parkinson* and *Benjamin Chambers* and their Successors.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as an Umpire in the Execution of this Act or the said recited Act, until he shall have taken and subscribed an Oath in the Form or to the Effect following, before the Commissioners under whose Appointment he shall so act, which Oath the said Commissioners are hereby empowered to administer; (that is to say),

‘ I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities vested and reposed in me as an Umpire by virtue of an Act passed in the Second Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*], according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever. So help me GOD.’

VI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, if they shall deem it expedient, from Time to Time, at their First or any other Meetings, to call in and avail themselves of the Judgment, Advice, and Assistance of the Umpire so to be appointed by them, in the carrying into Execution of the several Powers hereby or by the said recited Act in them the said Commissioners reposed, although no actual Difference of Opinion of the said Commissioners may have then arisen between them.

VII. And be it further enacted, That the said Commissioners shall and they are hereby required to cause Notice in Writing to be affixed on the respective Church Doors of the several Parishes of *Walesby*, *Kirton*, and *Egmanton* aforesaid, on some *Sunday* immediately before Divine Service, and also a like Notice to be inserted in the Newspaper called *The Nottingham Journal*, if then published, and if not, then in some other Newspaper circulated in the said County of *Nottingham*, of the Time and Place of their First Meeting, and of all other subsequent Meetings for executing the Powers hereby or in and by the said recited Act vested in them, Ten Days before any such Meeting (Meetings by Adjournment only excepted); and if not more than One of the said Commissioners shall attend at the Time and Place appointed for any such Meeting, it shall be lawful for the Commissioner who shall attend such Meeting, or the Clerk of the said Commissioners, to adjourn such Meeting to any future Day, not exceeding Twenty-one Days from the Day of Adjournment, and such Clerk shall cause Notice of such Adjournment to be given to the said Commissioners: Provided always, that all the Meetings of the said Commissioners shall be holden in one of the said Parishes of *Walesby*, *Kirton*, and *Egmanton*, or within Eight Miles of the Boundaries of One of them.

VIII. Provided always, and be it further enacted, That all other Notices necessary or requisite to be given by the said Commissioners, shall be so given

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Other Notices how to be given.

given by affixing the same on the respective Church Doors of the several Parishes of *Walesby*, *Kirton*, and *Egmanton*, and by Advertisement to be inserted in the said Newspaper called *The Nottingham Journal*, if then published, and if no such Newspaper be then published, then in some other Newspaper then in Circulation in the said County of *Nottingham*.

Surveyors to
take an Oath.

IX. And be it further enacted, That no Person shall act as a Surveyor in the Execution of the Powers hereby or by the said recited Act given, until he shall have taken and subscribed the Oath following ; (that is to say),

Oath.

‘ I *A. B.* do swear, That I will faithfully, impartially, and honestly, to the best of my Skill and Judgment, execute the several Powers and Authorities vested and reposed in me as a Surveyor, by virtue of an Act passed in the Second Year of the Reign of King *George* the Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act*], without Favour or Affection, Prejudice or Partiality to any Person or Persons whomsoever.
So help me GOD.’

Which Oath it shall be lawful for either of the said Commissioners to administer ; and the said Oath, when so taken, shall be written on Parchment, in triplicate, and subscribed by the said Surveyor or Surveyors, and duly attested by the said Commissioners under their Hands, and shall be inrolled with the final Awards to be made by the said Commissioners.

Commis-
sioners and
Surveyors
Allowance.

X. And be it further enacted, That out of the Money that shall arise for defraying the Expences of executing this Act, there shall be paid to each of the Commissioners, and to the Umpire who shall act in the Execution thereof, as a Recompence for his Pains and Trouble, the Sum of Three Pounds and Three Shillings for each and every Day he shall be employed in travelling to, returning from, and attending in the Execution of this Act, and no more ; and at all Meetings to be held in pursuance of this Act the said Commissioners and Umpire shall out of such Allowance defray their own Expences ; and there shall be paid to the Surveyor or Surveyors to be appointed for the Purposes of this Act, such Allowances in respect of his or their Services as the said Commissioners shall adjudge to be a full Recompence and Satisfaction for all his or their Expences and Charges whatsoever in attending the said Commissioners, and in surveying and admeasuring the said Lands and Grounds, and in planning and staking out the several Allotments intended to be made, and in making such Maps and Plans as may be required respectively, by virtue of this Act.

Objections
to be deliver-
ed to Parties
whose
Claims are
objected to.

XI. And be it further enacted, That if any of the Parties interested in the Premises shall have any Objection or Objections to any of the Accounts or Claims which shall be delivered to the said Commissioners by virtue of the said recited Act, or of this Act, such Objection or Objections shall be reduced into Writing, and Two Parts thereof shall be signed by the Party or Parties making the same, or by some Person or Persons on his, her, or their Behalf, and One Part thereof shall be delivered to the Party or Parties whose Claim or Account shall be objected to, or to his, her, or their Agent, or left at his, her, or their last or usual Place or Places of Abode, at such Time or Times as the said Commissioners shall appoint for that Purpose.

XII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the said intended Division, Allotment, and Inclosure, touching or concerning the respective Rights or Interests which they or any of them shall claim to have in, to, or out of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or touching or concerning any other Matter or Thing relating to the said Division, Allotment, and Inclosure, it shall be lawful for the said Commissioners and they are hereby authorized and required to examine into, hear, and determine the same respectively; provided that nothing in this Act contained shall authorize the said Commissioners to determine the Title to any Manors, Messuages, Cottages, Lands, Tenements, or Hereditaments whatsoever.

Commissioners to settle Disputes;

but not to determine Titles.

XIII. And be it further enacted, That in case the said Commissioners shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in pursuance of the said recited Act or this Act, see Cause to award any Costs, it shall be lawful for the said Commissioners, and they are hereby empowered, upon Application being made to them for that Purpose, to settle, assess, and award such Costs and Charges as they shall think reasonable, to be paid either to the public Account for or towards the Expences occasioned in or relating to the Investigation, settling, and determining of such Claim or Claims, if finally disallowed, or to the Party or Parties in whose Favour any Determination of the said Commissioners shall be made, by the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, whose Claim or Objection shall be thereby disallowed or overruled, or against whom the said Commissioners shall have determined as aforesaid; and in case the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who shall be liable to pay such Costs, shall neglect or refuse to pay the same upon Demand, it shall be lawful for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands and Seals directed to any Person or Persons whomsoever, to cause such Costs to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons, or Body or Bodies Politic, Corporate or Collegiate so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand, to such Person or Persons, Body or Bodies Politic, Corporate or Collegiate, whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

Commissioners to assess Costs.

XIV. Provided always, and be it further enacted, That in case any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, interested or claiming to be interested in the said intended Division and Inclosure, shall be dissatisfied with any Determination of the said Commissioners or Umpire, touching or concerning any Claim or Objection which shall be delivered to the said Commissioners in pursuance of the said recited Act or this Act, or touching or concerning any Property, Right, or Interest intended to be affected by such Determination, and shall give Notice in Writing of such Dissatisfaction, to be delivered to or left at the usual Places of Abode of the Commissioners making such Determination, and of the Party or Parties in whose Favour such Determination shall have been made, or his, her, or their Agent, within Three Calendar Months next after such Determination shall have been notified in Writing to the several

Power to try Rights by an Issue at Law.

several Parties or Persons interested, it shall be lawful for such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate so dissatisfied, and giving such Notice as aforesaid, to bring or cause to be brought an Action or Actions upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, and to proceed to a Trial at Law of the Matter so determined by the said Commissioners or Umpire, at the then First or Second Assizes to be holden for the said County of *Nottingham*; and the Defendant or Defendants in such Action or Actions shall, and he, she, or they is and are hereby required to name an Attorney or Attornies who shall appear thereto, and file Common Bail, and accept one or more Issue or Issues, whereby such Claim or Claims, Rights in Question, and the Property, Right, and Interest thereby insisted upon, may be tried and determined, such Issue or Issues to be settled by the proper Officer of the Court in which the said Action shall be commenced, in case the said Parties shall differ about the same; and the Verdict or Verdicts which shall be given upon the Trial of such Action shall be binding, final, and conclusive, unless the Court wherein such Action shall be brought shall set aside such Verdict or Verdicts, and order a new Trial to be had thereon, which it shall be lawful for the said Court to do in case the said Court shall think proper; and after such Verdict or Verdicts shall be obtained and not set aside, the said Commissioners shall and they are hereby required to act in conformity thereto, and to allow or disallow the Claim, Property, Right, or Interest thereby determined, according to the Event of such Trial or Trials, and the Costs and Charges payable by the said Commissioners in or relating to such Action or Actions shall be paid and discharged out of the Monies to be raised by them for the Purposes of this Act: Provided always, that if no such Notice shall be given, and such Action or Actions at Law shall not be commenced as aforesaid, or if any such Action shall be commenced, and the Plaintiff or Plaintiffs therein shall not proceed to Trial within the Time herein-before limited for that Purpose, then the Determination of the said Commissioners shall be final, binding, and conclusive to all Intents and Purposes whatsoever: Provided always, that if any of the Parties in any such Action to be commenced as aforesaid, shall die before the Determination thereof, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened; and that no Difference, Suit, or Proceeding as aforesaid, nor any Difference or Dispute touching the Title to any Lands, Tenements, or Hereditaments, shall impede or delay the said Commissioners in the Execution of this Act, but the Division, Allotment, and Inclosure hereby directed to be made, shall be proceeded in notwithstanding any such Difference or Proceeding.

If no Action is brought, or not proceeded in, the Determinations of the Commissioners to be final. Action not to abate by Death of Parties, and Trial not to suspend the Execution of this Act.

In case of Deaths of Parties before Actions brought, the same to be carried on and defended in their Names.

XV. Provided always, and be it further enacted, That if any Person or Persons in whose Favour such Determination as aforesaid shall have been made, and against whom any such Action or Actions might have been brought, if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time herein-before limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who might have brought such Action or Actions against the Person or Persons so dying, to bring the same, within the Time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Clerk of the said Commissioners with Process for commencing such Action or Actions in
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the same Manner as the Party or Parties so dying might have been served therewith if living; and it shall thereupon be incumbent upon the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein in the same Manner as if such Person or Persons had had been actually living, and the Rights of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

XVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioners to determine any Right between any Parties contrary to the Possession of any such Parties, except in Cases of Encroachment made within the Period of Twenty Years next preceding the passing of this Act; but in case the said Commissioners shall be of Opinion against the Right of the Person or Persons so in Possession, they shall forbear to make any Determination thereupon, until the Possession shall have been given up by or taken from such Person or Persons by Ejectment or other due Course of Law.

Persons in Possession not to be molested without due Course of Law.

XVII. And be it further enacted, That all Encroachments or Intakes which at any Time within Twenty Years next preceding the passing of this Act, have been made upon the said Lands and Grounds hereby directed to be divided and inclosed, shall be deemed and considered Part and Parcel of the Lands and Grounds to be allotted and inclosed by virtue of this Act, as if the same were actually lying open and uninclosed, and shall be divided and allotted accordingly; and in case any Dispute or Difference shall arise touching any such Encroachments or Intakes, or as to the Extent thereof, such Dispute or Difference shall be determined by the said Commissioners.

Encroachments made within Twenty Years to be considered Part of the Grounds to be inclosed.

XVIII. Provided always nevertheless, and be it further enacted, That all Lands which shall have been inclosed from the Open Fields of the said several Parishes, or any of them, for more than Twenty Years next preceding the passing of this Act, shall for the Purposes of this Act be deemed and taken to be ancient Inclosures.

Lands inclosed for more than Twenty Years to be deemed ancient Inclosures.

XIX. And be it further enacted, That the said Commissioners shall by some Writing or Writings under their Hands, ascertain, order, and appoint what Recompence and Satisfaction in Money shall be made to the Owner or Owners of any Crops growing at the Time of the said intended Division and Allotment for the said Crops, by the Person or Persons to whom the Lands on which such Crops are growing shall be allotted, and also what Recompence and Satisfaction in Money shall be paid, and by whom to any Tenant or Tenants, Occupier or Occupiers of Lands within the several Parishes of *Walesby, Kirton, and Egmanton* aforesaid, as well for the ploughing, tilling and manuring of any Lands or Grounds which shall be allotted to some other Person or Persons, and for the Profit and Advantage which any such Person and Persons to whom the said Lands and Grounds shall be allotted, will obtain thereby, as for any Loss or Disadvantage which any such Tenant or Tenants, Occupier or Occupiers shall or may sustain by the Loss of any following or way-going Crop in any of the Open Fields by this Act intended to be divided, allotted and inclosed, or by Means of the said Division, Allotment and Inclosure; and if in

Satisfaction to be made for standing Crops.

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any or either of the said Cases last-mentioned, such Recompence and Satisfaction shall not be made at the Time and in manner to be appointed by the said Commissioners, then the said Commissioners shall and may by any Warrant or Warrants under their Hands and Seals, directed to any Person or Persons whomsoever (which Warrant or Warrants they are hereby authorized and empowered to grant accordingly) cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons required to make such Recompence and Satisfaction as aforesaid, together with the Costs and Charges of such Distress and Sale, rendering the Overplus, if any, to the Owner or Owners of such Goods and Chattels.

Commissioners to direct the Course of Husbandry.

XX. And be it further enacted, That the said Commissioners shall as soon after the passing of this Act as conveniently may be, by some Writing or Writings under their Hands, to be affixed on the principal outer Doors of the several and respective Parish Churches of *Walesby, Kirton, and Egmanion* aforesaid, on some *Sunday* immediately before Divine Service, order and direct the Course of Husbandry that shall be used in, over, and upon the Open Arable Fields to be divided, allotted, and inclosed by virtue of this Act, until the Time when they shall have made and completed the said intended Division and Allotment thereof, as well with respect to breaking up and laying down as the ploughing, sowing, fallowing, and tilling the same Lands and Grounds, and by the same or any other Writing or Writings under their Hands to be affixed as aforesaid, shall and may make such Orders and Regulations touching the Conduct of the Owners and Occupiers of the same Lands and Grounds, for the preventing the committing of Waste or Destruction by any Person or Persons whomsoever, upon any of the Lands and Grounds to be divided and allotted by virtue of this Act, in the meantime and until the Allotments and Divisions thereof shall be effected as to the said Commissioners shall seem expedient, all which Orders and Regulations of the said Commissioners shall be binding and conclusive upon all Parties interested therein, their Farmers and Tenants; and that the said Commissioners shall set and impose such pecuniary Penalties and Forfeitures upon every Person not conforming to such Orders and Regulations as they shall think necessary, not exceeding Five Pounds *per Acre*, all which Penalties and Forfeitures shall be paid to such Person or Persons, and for such Uses and Purposes, as the said Commissioners shall by any such Writing or Writings as aforesaid, or any other Writing or Writings direct or appoint; and the said Commissioners are hereby authorized and required to raise and levy the same for the Use of the Person or Persons they may consider entitled thereto, by such Ways and Means as the Costs, Charges, and Expences of obtaining this Act, and carrying the same and the said recited Act of the Forty-first Year of the Reign of His late Majesty King *George* the Third into Execution, may be raised and levied.

Allotments for Materials for repairing the Roads.

XXI. And be it further enacted, That the said Commissioners shall and they are hereby authorized, if they shall see it expedient so to do, before any Allotment is made in pursuance of this Act, to set out and allot unto the Surveyors of the Highways of the said respective Parishes, such Parcel or Parcels of Land as they may judge to be proper and necessary, but not exceeding in the whole Two Acres in each of the said Parishes, in and upon some Part or Parts of the Lands hereby directed

to be divided, allotted, and inclosed, and in such Place and Places as they shall think proper, with convenient Roads to and from the same respectively, as and for public Watering Places for Cattle, and also for the Purpose of getting Materials for the Repair of the Highways and other Roads within the said respective Parishes of *Walesby*, *Kirton*, and *Egmanton*, and for such other Uses as the said Commissioners shall direct, and the same shall be inclosed and fenced, and such Fences thereafter maintained by such Persons and in such Manner as the said Commissioners shall by their Award order and appoint; and the said Allotment or Allotments shall be and the same are hereby declared to be vested in the Surveyors of the Highways of the said respective Parishes, in Trust for the Purposes hereby and by the said recited Act mentioned; and the Herbage of such Parcel or Parcels of Land, and also the Herbage of the public Roads and Lanes within the said Parishes of *Walesby*, *Kirton*, and *Egmanton*, shall thereafter be taken and enjoyed by such of the Proprietors of Estates within the said Parishes respectively, and applied for such Purposes and in such Manner as the said Commissioners shall by their Award order and direct.

XXII. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons at any Time or Times within the Space of Seven Years next after the making and executing the Award of the said Commissioners, to graze or keep any Sort of Cattle whatsoever in any of the private Roads to be set out by virtue of this Act, and which shall be directed by the said Commissioners to be fenced.

Roads not to be stocked with Cattle for Seven Years.

XXIII. And be it further enacted, That after the several public Roads, and Watering Places and Quarries, and Land for Materials for Repairs of the said Roads in the Parish of *Walesby* aforesaid, shall have been set out, the said Commissioners shall and they are hereby required in the next Place to assign, set out, and allot and award, unto and for the Impropiator of the Great Tythes of *Walesby* aforesaid for the Time being, and unto and for the Vicars of the said Vicarage and Parish Church of *Walesby* for the Time being, in Severalty, such Parcel or Parcels of the Residue of the Lands and Grounds within the said Parish of *Walesby* directed by this Act to be divided, allotted, and inclosed, as in the Judgment of the said Commissioners shall be equal in Value to and a full Compensation for all the present uninclosed Glebe Lands and Rights of Common to the said Impropiator and Vicar respectively belonging or appertaining; and shall in the next Place assign, set out, and allot and award, unto and for such Impropiator as aforesaid, and unto and for such Vicar of *Walesby* aforesaid, in Severalty, according to their several and respective Rights and Interests therein, so much and such Parts of the said Lands and Grounds within the said Parish of *Walesby* intended to be divided, allotted, and inclosed, as in the Judgment of the said Commissioners shall be equal in Value to One Fifth Part of all the Open Arable Fields, to Two Ninth Parts of the Hop Lands or Grounds, to One Seventh Part of the Open Meadow Ground and Marsh Land, and of the present inclosed Lands, Grounds, and Homesteads within the said Parish of *Walesby*, to One Twelfth Part of the Woodlands within the same Parish (not including Timber or Trees or Underwood growing thereon), and to One Ninth Part of the Common Pastures, Moors, Common Balks, and other Commonable and Waste Lands, within the said Parish of *Walesby* hereby intended to be divided, allotted, and inclosed, subject and liable to the Payment

Allotments to the Impropiator and to the Vicar of *Walesby* for Glebe and Tythes.

Payment of Tythes respectively, and also such further Part of the same Lands so intended to be divided and inclosed, as shall in the Judgment of the said Commissioners be an adequate Compensation for the Moduses, Compositions, or other Payments in lieu of Tythes for such Lands or Grounds in the said Parish of *Walesby* as are subject thereto, and not liable to the Payment of Tythes in Kind (except and always reserving the usual and accustomed Mortuaries, *Easter* Offerings, and Surplice Fees unto the said *George Holt* and his Successors, Vicars as aforesaid).

Allotment to
Rector of
Kirton for
Glebe and
Tythes.

XXIV. And be it further enacted, That the said Commissioners shall and they are hereby required in the next Place, to assign, set out, allot, and award, unto and for the Rector of the said Rectory and Parish Church of *Kirton*, such Parcel or Parcels of the Lands and Grounds situate in the said Parish of *Kirton*, and directed by this Act to be divided, allotted, and inclosed, as in the Judgment of the said Commissioners shall be equal in Value to and a full Compensation for all the present uninclosed Glebe Lands and Rights of Common to the said Rector belonging or appertaining, and shall in the next Place set out and allot unto and for the said Rector of *Kirton*, and his Successors, so much and such Parts of the Lands and Grounds within the said Parish of *Kirton* intended to be divided, allotted, and inclosed, as in the Judgement of the said Commissioners shall be equal in Value to One Fifth Part of all the Open Arable Fields, to Two Ninth Parts of the Hop Lands or Grounds, to One Eighth Part of the Open Meadow Ground and Marsh Land, and of the present inclosed Lands, Grounds, and Homesteads, within the said Parish of *Kirton*, to One Twelfth Part of the Woodlands within the same Parish, not including Timber or Trees or Underwood growing thereon, and to One Ninth Part of the Common Pastures, Moors, Common Balks, and other Commonable and Waste Lands within the said Parish of *Kirton*, hereby intended to be divided, allotted, and inclosed, subject and liable to the Payment of Tythes respectively; and also such further Part of the same Lands so intended to be divided and inclosed, as shall in the Judgment of the said Commissioners be an adequate Compensation for the Moduses, Compositions, or other Payments in lieu of Tythes for such Lands or Grounds in the said Parish of *Kirton*, as are subject thereto, and not liable to the Payment of Tythes in Kind, except and always reserving the usual and accustomed Mortuaries, *Easter* Offerings, and Surplice Fees unto the Rector of the said Rectory for the Time being.

Allotments
to the Lord
of the Manors
of *Walesby*
and *Kirton*.

XXV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required in the next Place to assign, set out, allot and award, unto and for the Lord of the said Manors of *Walesby* and *Kirton* for the Time being, so much and such Part and Parts of the Residue of the Lands and Grounds hereby intended to be divided, allotted, and inclosed, situate within the said Manors of *Walesby* and *Kirton*, as shall in the Judgment of the said Commissioners be equal to One Eighteenth Part of the Commons and Waste Grounds, and of the Common Balks in the Open Arable Fields situate within the said Manors of *Walesby* and *Kirton*, intended by this Act to be divided, allotted, and inclosed, after deducting therefrom the Proportion herein-before directed to be set out for the Tythes of such Commons and Waste Grounds and Common Balks, for and in lieu of and as a full Compensation and Satisfaction for the Rights, Interests, and Claims, of the Lord of the said Manors

Manors of *Walesby* and *Kirton* for the Time being, of, in, or to the Soil of all or any Part of the said Waste Lands and Grounds within the said Manors of *Walesby* and *Kirton*, so intended to be divided, allotted, and inclosed as aforesaid.

XXVI. And be it further enacted, That the said Commissioners shall and they are hereby required, in the next Place, to set out and allot unto and for the Impropiator of the Great Tithes of the said Parish of *Egmanton*, and unto and for the Vicar of the said Vicarage and Parish Church of *Egmanton* respectively, in Severalty, such Parcel or Parcels of the Lands and Grounds within the said Parish of *Egmanton* directed by this Act to be divided, allotted, and inclosed, as in the Judgment of the said Commissioners shall be equal in Value to and a full Compensation for all the present uninclosed Glebe Lands and Rights of Common to the said Impropiator and Vicar respectively belonging or appertaining; and shall in the next Place assign, set out, allot, and award unto and for such Impropiator as aforesaid, and unto and for such Vicar of *Egmanton* aforesaid, and his Successors, in Severalty, according to their respective Rights and Interests therein, so much of the said Lands and Grounds within the said Parish of *Egmanton* intended to be divided, allotted, and inclosed, as in the Judgment of the said Commissioners shall be equal in Value to Two Eleventh Parts of all the Open Arable Fields, to Two Ninth Parts of the Hop Lands or Grounds, to One Seventh Part of the Open Meadow Ground and Marsh Land, and of the present inclosed Lands, Grounds, and Homesteads within the said Parish of *Egmanton*, to One Twelfth Part of the Woodlands within the same Parish, not including Timber or Trees, or Underwood growing thereon, and to One Ninth Part of the Common Pastures, Moors, Common Balks, and other Commonable and Waste Lands within the said Parish of *Egmanton* hereby intended to be divided, allotted, and inclosed, subject and liable to the Payment of Tithes respectively; and also such further Part of the same Lands so intended to be divided, allotted, and inclosed as shall in the Judgment of the said Commissioners be an adequate Compensation for the Moduses, Compositions, or other Payments in lieu of Tithes for such Lands or Grounds in the said Parish of *Egmanton* as are subject thereto, and not liable to the Payment of Tithes in Kind, except and always reserving the usual and accustomed Mortuaries, *Easter Offerings*, and Surplice Fees, unto the Vicar of the said Vicarage for the Time being.

Allotments
for Glebe
and Tithes
to the Im-
propriator
and Vicar of
Egmanton.

XXVII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required to assign, set out, allot, and award unto and for the respective Lords of the said Manors of *Egmanton* in Severalty, and in such Proportions between them as the said Commissioners shall adjudge and determine to be just, according to the Extent of their respective Rights and Interests therein, so much and such Part and Parts of the Residue of the Lands and Grounds hereby intended to be divided, allotted, and inclosed within the said Parish of *Egmanton*, as shall in the Judgment of the said Commissioners be equal to One Eighteenth Part of the Commons and Waste Grounds, and of the Common Balks in the Open Arable Fields within the said Parish of *Egmanton*, intended by this Act to be divided, allotted, and inclosed, after deducting therefrom the Proportion hereby before directed to be set out for the Tithes of such Commons and Waste Grounds and

Allotments
to the Lords
of the Manors
of *Egmanton*.

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Common

Common Balks, for and in lieu of and as a full Compensation and Satisfaction for the Rights, Interests, and Claims of the said Lords as aforesaid, in or to the Soil of all or any Part of the Waste Lands and Grounds within the said respective Manors of *Egmanton*, so intended to be divided, allotted, and inclosed as aforesaid.

Allotment to
the Lord of
the Manor of
Willoughby.

XXVIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required to assign, set out, allot, and award unto and for the Lord of the said Manor of *Willoughby* for the Time being, so much and such Part and Parts of the Residue of the Lands and Grounds hereby intended to be divided, allotted, and inclosed, situate within the said Manor of *Willoughby*, as shall in the Judgment of the said Commissioners be equal to One Eighteenth Part of the Commons and Waste Grounds, and of the Common Balks in the Open and Arable Fields intended by this Act to be divided, allotted, and inclosed, situate within the said Manor of *Willoughby*, after deducting therefrom the Proportion herein-before directed to be set out for the Tithes of such Commons and Waste Grounds and Common Balks, for and in lieu of and as a Compensation and Satisfaction for the Rights, Interests, or Claims of the Lord of the said Manor of *Willoughby*, of, in, or to the Soil of all or any Part of the said Waste Lands and Grounds within the said Manor of *Willoughby*, so intended to be divided, allotted, and inclosed as aforesaid.

Allotment of
the Residue
amongst the
Proprietors.

XXIX. And be it further enacted, That the said Commissioners shall also apportion, divide, set out, and allot all the Residue of the said Open and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds, in the said respective Parishes of *Walesby*, *Kirton*, and *Egmanton*, intended by this Act to be divided, allotted, and inclosed, unto and amongst the several Proprietors thereof and Persons interested therein, in Proportion to their respective Shares, Rights, Property, and Interest, (except such Rights and Interests for which Allotments or other Compensations are herein-before particularly directed to be made), in Proportion to the true and real Value of their several Shares, Rights, and Interests, and in lieu and full Satisfaction of and for such their said several Shares, Rights, and Interests, to be ascertained and adjusted by such Ways and Means, and in such Manner as to the said Commissioners shall seem just and expedient, but subject to the Rules, Orders, and Regulations herein contained or referred to, and authorized to be established concerning the same.

Allotments
in lieu of
Chief and
Quit Rents.

XXX. And be it further enacted, That the said Commissioners shall and they are hereby required to set out and allot unto the Lords of the said respective Manors of *Walesby*, *Kirton*, *Egmanton*, and *Willoughby*, for the Time being, and to such other Person or Persons, Body or Bodies Corporate, Ecclesiastical or Civil, who is or are, or who shall or may be entitled to any Chief Rents, Fee Farm Rents, Out-horn Rents, or other Quit Rents payable out of or from any Messuages, Cottages, Tofts, Toftsteads, Lands, Tenements, or Hereditaments, within the aforesaid several Parishes, such Parcel or Parcels of Land, Part of the said Commons, Moors, and Waste Grounds hereby directed to be divided, allotted, and inclosed, and in such particular and relative Situation or Situations (attending to the Convenience of the several Parties interested), as they

the said Commissioners shall think proper, and as shall in their Judgment be an Equivalent for or equal in Value to all such Rents as are now due, issuing, or payable out of or from, or for or in respect of any such Messuages, Cottages, Tofts, Toftsteads, Lands, Tenements, or Hereditaments within the aforesaid several Parishes, or any of them, and which Land so to be set out and allotted shall be deducted out of and taken from the several and respective Allotments of those Persons who now pay such Rents, in Proportion to the Amounts of such Rents respectively.

XXXI. And be it further enacted, That the said several Allotments to be made by virtue of this Act to the Impropiator of the Great Tithes of the said Parish of *Walesby*, to the Vicar of *Walesby* aforesaid, to the Rector of the Rectory and Parish Church of *Kirton* aforesaid, to the Impropiator of the Great Tithes of the said Parish of *Egmanton*, and to the Vicar of *Egmanton* aforesaid for the Time being respectively, for or in respect of Glebe Lands, Common Rights and Tithes, or Moduses or Compositions in lieu of Tithes respectively, shall, as soon as conveniently may be after setting out the same, be inclosed and fenced under the Direction of the said Commissioners, with Double Ring or Outermost Fences of Oak Posts, and Three Rails of Ash or other durable Wood, with a sufficient Ditch on each Side thereof, and planted with good thriving Quicksets (except on such Sides and Parts of the said Allotments as shall be directed by the said Commissioners to be fenced by the Proprietors of particular Allotments lying next thereto), and a good and substantial Gate fixed in each Allotment; and the Expences of all the said Fences and Gates shall be paid, borne, and defrayed by the Proprietors of all and every the Allotments to be made by virtue of this Act, and of the ancient Inclosures exonerated from Tithes situated in the said Parishes of *Walesby*, *Kirton*, and *Egmanton* respectively, except the said *John Lumley Savile*, *George Holt*, *Richard Morton*, *Pendock Barry*, and *Edward Smith*, and their respective Successors, in respect of their several Allotments for Glebe, Common Rights and Tithes or Moduses as aforesaid, in Proportion to the Value of such their respective Allotments and ancient Inclosures in each of the aforesaid respective Parishes, to be settled, adjusted, and determined by the said Commissioners; but such Ring or Outermost Fences so to be made as last aforesaid shall for ever after the same shall have been so first made and completed, be thenceforth supported and kept in Repair by and at the Expence of the respective Impropiators, Rectors and Vicars to whom the said respective Allotments so to be fenced shall for the Time being belong.

Tithe Allotments to be fenced.

XXXII. And whereas the Allotments so to be made to the Rector of *Kirton*, and Vicars of *Walesby* and *Egmanton*, and their Successors, Rector and Vicars aforesaid, or some of such Allotments, will probably require some other and further Buildings; by reason whereof, and in order to render the same of greater Value to the said Rector and Vicars respectively, and their respective Successors, it may be necessary that some such Buildings should be erected thereon, and some necessary Interior or Subdivision Fences made, planted, and raised in and upon the said Allotments, or some of them: And whereas the erecting of such further Buildings, and the making, planting, and raising such Interior or Subdivision Fences, will be attended with considerable Expence, and as the

Power for the Rector and Vicars to erect Buildings, and borrow Money for defraying the Expences thereof, and make Subdivision Fences, &c.

same

same will probably be more beneficial to the Successors of the said Rector and Vicars respectively than to the said present Rector and Vicars; be it therefore further enacted, That it shall and may be lawful to and for the said Rector and Vicars respectively, and their respective Successors, by and with the Consent in Writing of the respective Patrons of the said Rectory and Vicarages, and of the Ordinary of the Diocese for the Time being, to erect or cause to be erected such further Buildings and Conveniences upon the Allotment or Allotments (which Buildings and Conveniences the said Rector and Vicars respectively, and their respective Successors, are hereby required to cause to be insured equal to the Value thereof annually, in some of the Offices in *London* established for Insurance against Fire), so as aforesaid to be set out unto the said Rector and Vicars, and their respective Successors as aforesaid; and also to make, plant, and raise such Interior or Subdivision Fences in and upon the said Allotment or Allotments as the said Commissioners shall judge necessary and proper, for the Occupation of the Lands so to be allotted to the said Rector and Vicars respectively, and their respective Successors; and by any Deed or Deeds, Writing or Writings under the respective Hand and Seal of such Rector or Vicars respectively, and attested by Two or more credible Witnesses, by and with the Consent in Writing of the Lord Archbishop of *York* for the Time being, to charge such Allotment or Allotments so as aforesaid to be set out for the said Rector and Vicars respectively, and their respective Successors as aforesaid, and the Buildings and Conveniences so to be erected thereon, with such Sum or Sums of Money, not exceeding in the Whole Two Years annual Value of the respective Allotments so to be set out to the said Rector and Vicars respectively, as the said Commissioners shall think necessary for the Purposes of and in order to be applied for paying and defraying the Charges and Expences of erecting the said further Buildings and Conveniences, and of making, planting, and raising such Interior or Subdivision Fences, or for either of the said Purposes, and in applying for and obtaining the Consent of the said Lord Archbishop of *York*, and in the Exercise of the Powers given to and vested in the said Rector and Vicars respectively by virtue of this Act and the said recited Act; which Sum or Sums of Money shall be paid to such Person or Persons as the said Commissioners shall nominate and appoint, in order to be applied or disposed of accordingly; and for securing the Re-payment of such Sum or Sums of Money, with Interest for the same, to grant, mortgage, lease, or demise the Allotments so as aforesaid to be set out unto and for the said Rector and Vicars respectively, and their respective Successors as aforesaid, and the Buildings and Conveniences so to be erected thereon, unto such Person or Persons who shall advance and lend the same, his, her, and their Executors, Administrators, and Assigns, for any Term or Number of Years, so that every such Grant, Mortgage, Lease, or Demise, be made with a Proviso to cease and be void, or with an express Trust or Condition to be surrendered, when the Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be respectively fully paid and satisfied; and such Mortgagee or Mortgagees advancing and lending the Money so to be borrowed shall not be obliged to see to the Application, or be in anywise answerable for the Misapplication of such Monies, or any Part thereof; and the said Rector and Vicars respectively, and their respective Successors for the Time being, shall be and are hereby required and made liable, at the End of every Year after the Commencement of the said Term of Years,

to pay to the Person or Persons to whom such Grant, Mortgage, Lease, or Demise shall be made, his, her, or their Executors, Administrators, or Assigns, One Twentieth Part of the respective principal Monies so to be borrowed, until the Whole thereof shall by such annual Payments be paid off and discharged; and also to pay and keep down the Interest of the said respective Monies so to be borrowed, so that the future Rector of the said Parish of *Kirton*, and the future Vicars of the said respective Parishes of *Walesby* and *Egmanton*, becoming possessed of such respective Lands and Grounds, shall not be subject or liable (and they are hereby respectively discharged from being subject or liable) to pay any further or larger Share of such Monies than his or their Proportion thereof, according to such last-mentioned Condition, or any Interest for the same, save only from the Day of the Death, Resignation, or Cession of the preceding Incumbent of the said Rectory or Vicarages respectively; and that it shall and may be lawful to and for the Person or Persons who shall advance and lend such Monies, his, her, or their Executors, Administrators, and Assigns, for the more easily recovering the said One-twentieth Part of the said Principal, and the whole of the Interest which is enacted annually to be paid, to have, use, exercise, and take such and the same Powers and Remedies by Entry and Distress upon the Premises so to be respectively charged, mortgaged, and demised, and Sale of such Distress, as by the Laws now in force are provided for and given to Landlords, or as they can use and take for the Recovery of Rack Rents in Arrear.

XXXIII. And be it further enacted, That it shall and may be lawful for the Rector of the said Rectory, and the Vicars of the said Vicarages respectively for the Time being, by Indentures under their respective Hands and Seals, with the Consent and Approbation of the Archbishop of *York* for the Time being, and of the Patron of the said Rectory and Vicarages, to lease and demise all or any Part of the Allotments to be set out and allotted to them respectively by virtue of this Act, to any Person or Persons whomsoever, for any Term not exceeding Twenty-one Years, to commence within Twelve Calendar Months from the passing of this Act; so that the Rent or Rents for the same shall be thereby reserved to such Rector and Vicars for the Time being, by Four equal quarterly Payments in every Year; and so that there be thereby reserved to such Rector and Vicars, the best and most improved Rent or Rents that can be reasonably gotten for the same, without taking any Fine, Foregift, Premium, Sum of Money or other Consideration for granting any such Lease; and so that no such Lessee, by any such Lease or Demise, be made punishable for Waste by any express Words to be therein contained; and so that there be inserted in every such Lease, Power of Re-entry on Non-payment of Rent or Rents to be thereby reserved within a reasonable Time to be therein limited after the same shall become due; and so that a Counterpart of such Lease be duly executed by the Lessee or Lessees to whom such Lease shall be so made as aforesaid, and every such Lease shall be valid and effectual; any Law, Usage, or any thing in the said recited Act contained to the contrary notwithstanding.

Rector and
Vicars, with
Consent of
Archbishop
and Patron,
may lease for
Twenty-one
Years.

XXXIV. Provided always, and be it further enacted, That in case through the Necessity of Situation, or any other Accident or Circumstance, it shall happen that One or more of the said Proprietors shall not have an equal or proportionable Quantity of Boundary Mounds or Fences allotted

Persons
having too
little Fencing
to pay in
Money.

[*Private.*]

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to

to him, her, or them on the said intended Inclosure, it shall be lawful for the said Commissioners, when they shall judge it necessary and reasonable, to award, order, ascertain, and appoint what Sum or Sums of Money such Proprietor or Proprietors shall respectively pay and contribute towards making the Mounds and Fences of the Allotments of such other Proprietor or Proprietors, who shall or may have too great a Proportion of mounding or fencing allotted to him, her, or them by virtue of this Act, the same to be settled by the said Commissioners in such Manner as they shall order, direct, or appoint; and the Money so ordered, directed, or appointed to be paid, shall be raised, levied, and recovered in such and the same Manner as the other Expences of this Act are herein or by the said recited Act ordered and directed to be levied and recovered.

Owners of old Inclosures who have not sufficient Open Field Land or Allotments to exonerate them from Tithes, are to discharge them by a Money Payment.

XXXV. Provided always, and be it further enacted, That in case the Owner of any Messuages, Cottages, Homesteads, Orchards, Gardens, or inclosed Lands or Grounds intended to be exonerated from Tithes, or any Payments in lieu of Tithes, shall not be entitled upon the aforesaid Division to a sufficient Quantity of the Lands and Grounds hereby directed to be divided and allotted, to exonerate his, her, or their old Inclosures from such Tithes or Payments in lieu of Tithes as aforesaid, then and in such Case the said Commissioners shall and they are hereby authorized and empowered to charge the respective Owners thereof with such Sum and Sums of Money as shall, in the Judgment of the said Commissioners, be a just and full Compensation and Satisfaction for the Fee Simple of the Tithes thereof respectively, and for the Proportion of such Owners of the Expences of obtaining and carrying this Act into Execution; and such Sum and Sums of Money shall be paid to the said Commissioners, and be by them applied towards defraying the Expences of obtaining this Act, and of carrying the same into Execution; and in case of Non-payment thereof at the Time appointed, the same shall be raised and levied in such Manner as is provided by the said recited Act or this Act, for raising and levying the Expences of obtaining and executing this Act, and the Overplus (if any) of such Money, after defraying such Expences, shall be paid to the Person or Persons from whose Allotment or Allotments or Lands, such Deductions shall have been made as aforesaid, in case he, she, or they shall be a Tenant or Tenants thereof in Fee Simple, or otherwise such Monies shall be applied and disposed of in Manner by the said recited Act directed, in case any Money is to be paid for the Purchase or Exchange of any Lands, Tenements, or Hereditaments, or of any Timber or Wood growing thereon, and which Money ought to be laid out in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the same Uses.

Settlements, &c. not to be affected, nor Wills revoked.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed or adjudged to extend to revoke, make void, alter or annul any Settlement, Deed, Will, or Lease, or to prejudice any Person having any Right or Claim of Dower, Jointure, Annuity, Rent Charge, Debt, or Incumbrance whatsoever, in, out of, upon, or affecting any of the Lands, Tenements, or Hereditaments hereby directed to be divided and allotted, or which shall be exchanged or assigned in Compensation for any other Estate or Right in pursuance of this Act, but as well the Lands allotted as the Tenements or other Hereditaments which shall be assigned in Exchange or as a Compensation

ation for any other Estate or Right, shall immediately after such Allotment, Exchange, or Assessment shall be made, be vested, remain, and enure, and the several Persons to whom the same shall be allotted, assigned, or given in Exchange as aforesaid, shall thenceforth stand and be seised and possessed thereof respectively, to, for, and upon such and the same Uses, Estates, Intents, Trusts, and Purposes respectively, and subject and liable to such and the same Wills, Settlements, Limitations, and Remainders, Conditions, Charges, Tenures, Rents, Services and Incumbrances, as the several Lands, Tenements, and Hereditaments, in respect whereof such Allotments, Assignments, and Exchanges shall have been made, should or would have stood severally limited, settled, or subject or liable to, or been held by, in case the same had not been allotted, assigned, or exchanged, and this Act had not been made; save and except such Rents and Services as shall have been compensated for and extinguished, and such Leases and Tenancies at Rack Rents as shall become void by virtue of this Act; and subject nevertheless to all such Mortgages and Sales as shall be made by Authority of this Act, or of the said Act of the Forty-first Year of the Reign of His said late Majesty King George the Third.

XXXVII. Provided also, and be it further enacted, That all Leases, Agreements, and Tenancies at Rack Rent now subsisting of any Part or Parts of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or which shall be exchanged in pursuance of this Act, and of any Tithes for which Compensation is hereby directed to be made, and of all Messuages, Cottages, Lands, and Tenements situated in the said Parishes of *Walesby*, *Kirton*, and *Egmanton*, held therewith, shall cease and be void at such Time or Times as the said Commissioners shall by Writing under their Hands direct or appoint, so as the respective Lessors or Landlords of such Messuages, Lands, or Tenements do, before or at the respective Times at which such Leases or Tenancies shall be directed to cease, make and pay such Satisfaction to the respective Lessees or Tenants, for the Loss which shall be sustained by the Determination of such Leases respectively, as shall be mutually settled and agreed between them, or as the said Commissioners, being required by either of the Parties, shall ascertain and direct; and the said Commissioners being so required are hereby empowered and directed to apportion a reasonable and proportionable Part, according to the Season of the Year, of the Rent reserved on any such Lease or Agreement, for or in respect of the Time which shall have elapsed between the last Day on which any Payment of the Rent shall have become due, and the Determination of any such Lease or Agreement, and such Part of the Rent shall be recoverable by such Ways and Means as may by Law be used for the Recovery of Rent in Arrear; and the said Commissioners are hereby empowered and directed, in every Case where any Lands or other Hereditaments in the said Parishes of *Walesby*, *Kirton*, and *Egmanton*, or any of them, shall be held by virtue of such Lease or Agreement, together with Land or other Hereditaments in any other Parishes, Townships, or Places, by one entire Rent, to apportion and determine what Part of such Rent shall be deducted in respect of the Lands or other Hereditaments in the said Parishes, Townships, or Places aforesaid, in such Lease or Agreement comprized, and from what Time such Deduction shall take place; and the rest of the Rent reserved on any such Lease or Agreement shall, during the Remainder of the Term thereof, be the Rent of and for the Lands and Hereditaments in such other Parishes,

Leases at Rack Rent to be void, the Lessors making Satisfaction.

Where Lands in these and other Townships and Places are held by the same Rent, Commissioners to apportion such Rent.

Parishes, Townships, or Places, and shall be payable and recoverable in like Manner as the entire Rent reserved by such Lease and Agreement shall immediately before such Apportionment be payable and recoverable; provided that nothing herein contained shall extend to determine or affect any Lease or Agreement of exchanged Lands situate in any other Parish, Township, or Place, than the said several Parishes of *Walesby*, *Kirton*, and *Egmanton*.

For allowing
Exchanges
to be made.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to set out, allot, and award any Lands, Tenements, or Hereditaments whatsoever, within the said Parishes of *Walesby*, *Kirton*, and *Egmanton*, or any of them, in lieu of and in exchange for any other Lands, Tenements, or Hereditaments within the same Parishes respectively, or any of them, or within any Parish, Township, or Place adjoining to the said Parishes, or any of them; provided that all such Exchanges shall be ascertained, specified, and declared in the Award of the said Commissioners, and be made with the Consent of the Proprietor or Proprietors of the Hereditaments and Premises which shall be so exchanged, whether such Proprietor or Proprietors shall be a Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Rector, Parson, Vicar, or other Ecclesiastical Person or Persons, or a Tenant or Tenants in Fee Simple, or for Life, or in Fee Tail, Special or General, or by the Courtesy of *England*, or for Years determinable on any Life or Lives, by and with the Consent of the Lessor or Lessors, but not otherwise, or with the Consent of the Guardians, Husbands, Commitees or Attornies of or acting for any such Proprietor or Proprietors who at the Time of making such Exchange or Exchanges shall be respectively Infants, Females Covert, Idiots, Lunatics, or under any other legal Disability, or who shall be beyond the Seas, or otherwise disabled to act for themselves, himself, or herself, or of the Trustees or Feoffees for charitable, parochial, or other Uses, or of the Person or Persons having Power to sell and dispose of the Premises which shall be so exchanged, (such Consent to be testified in Writing under the Common Seal of the Body Politic, Corporate or Collegiate, and under the Hands of the other consenting Parties respectively); and all and every such Exchange and Exchanges so to be made, shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever; provided nevertheless, that no Exchange shall be made of any Lands, Tenements, or Hereditaments held in right of any Church, Chapel, or other Ecclesiastical Benefice, without the Consent, testified as aforesaid, of the Patron thereof, and of the Bishop of the Diocese in which such Lands, Tenements, and Hereditaments shall be situate.

Allotted
Lands to
change Quali-
ties.

XXXIX. Provided always, and be it further enacted, That the Lands, Grounds, and Hereditaments which shall be allotted by virtue of this Act, shall be held in like Manner, under and by virtue of the same Tenures and Rents, and shall be thereafter deemed to be of the same Quality, as the Lands, Tenements, or Hereditaments, in respect of which such Allotment or Allotments shall be made, were held or deemed to be of immediately before the making of every such Allotment respectively.

Costs of
Exchanges.

XI. Provided also, and be it further enacted, That all Costs, Charges, and Expences attending the making any Exchanges and Partitions, shall be

be paid and borne by the several Persons making such Exchanges and Partitions, in such Manner, and in such Proportions, as the said Commissioners shall by any Writing under their Hands order and direct.

XLI. And be it further enacted, That the said Commissioners shall and may scour out, widen, and alter all such ancient Ditches, Drains, Watercourses, Tunnels, Gates, and Bridges in the said respective Parishes of *Walesby*, *Kirton*, and *Egmanton*; and also shall and may set out, widen, and make any new Ditches, Drains, Watercourses, Tunnels, Gates, and Bridges, as well in, through, and over the Lands and Grounds hereby intended to be divided, allotted, and inclosed, as also in, through, and over any Inclosures within the said several Parishes, (making such Satisfaction to the Proprietors of such Inclosures for the Damage done thereby, as they the said Commissioners shall think reasonable, the Expences thereof to be raised and defrayed as the other Expences of obtaining and executing this Act are hereinafter directed to be raised and defrayed), and of such Breadth, Depth, and Dimensions, and in such Directions, as the said Commissioners shall think proper; and the said Commissioners shall and may, and they are hereby directed and required, in and by their Awards, to order and determine by whom, and at whose Expence, and at what Time and in what Manner, the said Ditches, Drains, Watercourses, Tunnels, Gates, and Bridges shall be afterwards cleansed, scoured, and maintained; and also shall and may direct, order, and award all or any of the Streams, Springs, and Watercourses within the said Lands and Grounds hereby directed to be divided, allotted, and inclosed, to be carried, diverted, and turned into such Courses, and through, over, and across such Parts of the Lands and Grounds hereby directed to be divided, allotted, and inclosed, as they the said Commissioners shall in their Discretion judge proper, for the draining or watering the several Allotments to be made as aforesaid.

Commissioners to scour out Drains, &c.

XLII. And be it further enacted, That it shall and may be lawful for any Person or Persons interested in the said Allotments, at any Time to mortgage, sell, demise, or dispose of all such Estate, Right, Title, Interest, and Property, which he, she, or they shall then have in or to the said Commons or Waste Grounds, separate from such Estate in right of which he, she, or they shall be entitled; and it shall be lawful for the said Commissioners and they are hereby authorized and required, upon the Conveyance or other Instrument by which such Sale or Disposition is confirmed being produced to them, and the Execution thereof proved to their Satisfaction, to allot the same to the Purchaser or Purchasers thereof respectively.

Proprietors may convey their Rights of Common separate from their other Property.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners, in case they shall be requested, by Writing under the Hand or Hands of any Person or Persons being Tenant for Life or in Tail, or other Person being in Possession of, but not having the absolute Estate or Interest in any Messuages, Lands, Tenements, or other Hereditaments within the said several Parishes of *Walesby*, *Kirton*, and *Egmanton*, or any of them, to sell and dispose of any Part or Parts of the Allotment or Allotments belonging to such Person or Persons, for the Purpose of defraying his, her, or their Share or Shares of the Costs, Charges, and

A Proportion of Lands may be deducted from Allotments in lieu of Expences.

[Private.]

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Expences

Expences of obtaining and putting into Execution this Act and the said recited Act of the Forty-first Year of the Reign of His late Majesty, and the Expences of fencing, ditching, subdividing, and inclosing such Allotment or Allotments; and the said Commissioners shall accordingly sell such Part or Parts of such Allotment or Allotments, either by Private Contract or Public Auction as they shall think proper, to such Person or Persons as shall be willing to purchase the same, and shall convey the same to such Purchaser or Purchasers by any Deed under their Hands and Seals, and the Receipt of the said Commissioners for such Money shall be a full and complete Discharge to such Purchaser or Purchasers for such Purchase Money, and the said Commissioners shall apply the Purchase Money in or towards the Payment of such Expences, and in fencing, ditching, subdividing, and inclosing the said Allotment or Allotments respectively; but such Purchaser or Purchasers shall not be liable to see to the Necessity or Expediency of such Sale, nor be answerable nor accountable for the Misapplication of such Purchase Money; and upon the Payment of such Purchase Money or Purchase Monies into the Hands of the said Commissioners, the Lands so to be sold as last aforesaid shall immediately thereupon be absolutely discharged of and from all Common and other Right thereon or therein, and be vested in Fee Simple in Possession (if such Allotment or Allotments is or are made in right of Freehold) in the Purchaser or Purchasers thereof, and the same shall be thenceforth held in Severalty by such Purchaser or Purchasers thereof respectively, as his, her, or their private Property, and shall be allotted accordingly by the said Commissioners.

Lands may be deducted from Allotments in any of the Parishes.

XLIV. Provided always, and be it further enacted, That where any Allotment or Allotments so to be made to any Person or Persons being Tenant for Life, or in Tail, or other Person being in Possession of, but not having the absolute Estate or Interest in any Messuages, Lands, Tenements, or other Hereditaments which stand limited to the same Uses, shall be situate partly in one and partly in other of the said Parishes of *Walesby, Kirton, and Egmanton*; it shall and may be lawful to and for the said Commissioners, in case they shall be requested as last hereinbefore mentioned, to sell and dispose of, and to convey and assure to the Purchaser or Purchasers thereof, any Part or Parts of the said Allotments belonging to such Person or Persons in any one or more of the said Parishes, in Manner in that Behalf hereinbefore mentioned, as well for the Purpose of defraying his, her, or their Share or Shares of the Costs, Charges, and Expences of obtaining and putting into Execution this Act and the said recited Act, and the Expences of fencing, ditching, subdividing, and draining such Allotment or Allotments, in respect of such of the said Messuages, Lands, Tenements, or other Hereditaments or Allotments as are situated within the same Parish, wherein the said Allotment or Allotments so sold may be situated, as for and in respect of such of the said Messuages, Lands, Tenements, or other Hereditaments or Allotments as may be situated in any other of the said Parishes of *Walesby, Kirton, and Egmanton*: Provided always, that it shall not be lawful to raise by such Sale any further or greater Sum of Money than the Person or Persons, Part of whose Allotment or Allotments may be sold or disposed of, would have been empowered and authorized to borrow or charge upon his, her, or their Allotment or Allotments under or by

virtue of the said recited Act or this Act, reckoning Five Pounds for each and every Acre of such Allotment or Allotments.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the Proprietor or Person from whose Allotments Lands shall be as aforesaid deducted, to charge his, her, or their Tenements or Hereditaments by virtue of the said recited Act or this Act, with any Money towards Payment of such Expences, unless the Money to arise by such Sale shall be less than the Sum of Five Pounds *per Acre*, and then and in such Case it shall be lawful for such Person or Persons to charge his, her, or their Estate or Estates with, or to raise by Mortgage thereof, or other Means or Ways, as mentioned in the said recited Act or this Act, such further Sum of Money as may be necessary for the Payment of the Expences of obtaining and executing this Act, and subdividing the said Allotments, as together with the Value of the Lands so deducted, shall not exceed the Amount that might be borrowed and charged on the Lands to be divided and allotted, at the Rate of Five Pounds for each and every Acre.

Money to be raised for Expences not to exceed 5l. per Acre.

XLVI. And be it further enacted, That the Charges and Expences of obtaining and passing this Act, and all reasonable Expences preparatory thereto, together with Interest for the same as herein-after mentioned, and of surveying, valuing, planning, measuring, dividing, and allotting the said Open and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds hereby intended to be divided, allotted, and inclosed, and of inclosing the several Tithe Allotments, and of fencing the Lands of the Persons from whom a Deduction of Land shall be made as herein-before directed, and also the Expences of preparing and enrolling the Awards of, and the Allowance and Payments to be made to the said Commissioners, Umpire, and Surveyors respectively, as herein-before directed, and all other Charges and Expences incident to or attending the carrying this Act into Execution, shall be paid, borne, and defrayed by all the Proprietors of the Lands, Hereditaments, and Rights of Commons so intended to be divided, allotted, regulated, inclosed, exchanged, and exonerated from Tithes, except the said Tithe Owners, Rectors, and Vicars, as such respectively, in such Proportions as the said Commissioners shall settle, adjust, and determine; to be paid at such Time or Times, and to such Person or Persons, as they the said Commissioners shall order and direct, Notice thereof in Writing under their Hands being given at least Thirty Days before the Time such Payment shall be required; regard being therein had to the different Proportion of such Charges and Expences which the Proprietors of the Lands to be inclosed, and the Proprietors of the present inclosed Lands, and other Persons, ought respectively to bear and pay.

Expences attending the Execution of this Act by whom to be borne.

XLVII. And be it further enacted, That once at least in every Year, to be computed from the passing of this Act, the Accounts of the said Commissioners and Umpire, containing a true Statement of all and every Sum and Sums of Money by them received and expended, or due to them for their Trouble and Expence in the Execution of this Act and the said recited Act of the Forty-first Year of the Reign of His late Majesty King George the Third, until such Account shall be finally settled shall,

Commissioners Accounts to be audited Once a Year.

shall, together with the Vouchers relating to the same, be by them laid before One of His Majesty's Justices of the Peace for the County of *Nottingham*, to be by him examined and balanced; and such Balance shall be stated in the Books of Account to be kept in the Office of the Clerk of the said Commissioners; and no Charge or Item in such Accounts, shall be binding on the Parties concerned or valid in Law, unless the same shall be so allowed.

Money advanced to be repaid with Interest.

XLVIII. And be it further enacted, That if any of the Proprietors interested in the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or any other Person or Persons on his, her, or their Behalf, shall advance and pay any Money in Discharge of the Fees or other Expences of obtaining and executing this Act, the Money so paid and advanced shall be repaid and satisfied by the Direction of the said Commissioners, together with lawful Interest for the same.

Awards to be deposited in the respective Parish Churches, and Duplicates enrolled with the Clerk of the Peace.

XLIX. And be it further enacted, That the said Commissioners shall make and execute Three Awards, with Maps or Plans thereto annexed, one of which Awards shall contain the several Matters and Things by this or the said recited Act authorized to be done of, for, and concerning the said Parish of *Walesby*, and which, when so made and enrolled in Manner directed by the said recited Act, shall be deposited in the Church of *Walesby* aforesaid; and another of such Awards shall contain the several Matters and Things by this or the said recited Act authorized to be done of, for, and concerning the said Parish of *Kirton*, and which when so made and enrolled as aforesaid, shall be deposited in the Church of *Kirton* aforesaid, and the other of such Awards shall contain the several Matters and Things by this or the said recited Act authorized to be done of, for, and concerning the said Parish of *Egmanton*, and which, when so made and enrolled as aforesaid, shall be deposited in the Church of *Egmanton* aforesaid.

Power of Appeal.

L. And be it further enacted, That it shall be lawful for all Persons who shall think themselves aggrieved by any thing done by virtue of this Act, (except in Cases where the Things so done are herein or by the said Act of the Forty-first Year of His late Majesty declared to be final, binding, and conclusive), to appeal to the General Quarter Sessions of the Peace which shall be held in and for the County of *Nottingham*, or any Adjournment thereof, within Six Calendar Months next after the Cause of Complaint shall have arisen, first giving or causing to be given Twenty-eight Days Notice thereof in Writing to the said Commissioners, or one of them, or to the Parties intended to be appealed against; and the Justices at their said General Quarter Sessions, or any Adjournment thereof, are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order therein, and to award such Costs, as to them in their Discretion shall seem meet; and by their Warrant to levy the Costs awarded by Distress and Sale of the Goods and Chattels of the Parties respectively adjudged to pay the same, rendering the Overplus (if any) to the respective Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and every Determination of the said Justices shall be final and conclusive on all Parties concerned, and no such Complaint, Appeal, or Proceeding shall

shall be removed or removable by Certiorari, or any other Writ or Proceeding whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious, or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to them in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

LI. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the respective Lords for the Time being of the said Manors of *Walesby*, *Egmanton*, *Kirton*, and *Willoughby*, or any of them, in or to any of the Royalties or Seigniories, Fisheries, Manorial and other Rights, Customs, and Services incident or belonging to the said respective Manors, or any of them; but that such respective Lords, and all and every Person and Persons claiming in Trust for him or them, as such respective Lords for the Time being of the said several and respective Manors, shall and may at all Times for ever hereafter have, hold, receive, take and enjoy all Rents, Services, Courts, Perquisites and Profits of Courts, Fines, Goods and Chattels of Felons and Fugitives, Felons of themselves, and put in Exigent, Deodands, Waifs, Estrays, and Forfeitures, Privileges and Jurisdictions of the said several and respective Manors of *Walesby*, *Kirton*, *Egmanton*, and *Willoughby*, to the respective Lords thereof, or any Person or Persons claiming under him or them, incident, belonging, or appertaining, except the Right to the Soil of the said Commons and Waste Grounds, and such Quit Rents or Chief Rents for which Compensation is herein-before directed to be made, in as full, ample, and beneficial Manner, to all Intents and Purposes, as the same might or ought to have been held and enjoyed in case this Act had not been passed.

Saving to the
Lords of the
Manors.

LII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, or their respective Heirs, Successors, Executors and Administrators (other than and except the Persons to whom any Allotment or Compensation shall be made by virtue of this Act, in respect of the Interest or Property for which such Allotment or Compensation shall be made, and all Persons claiming any Right of Common upon any of the said Lands and Grounds so to be divided, allotted, and inclosed, although no Allotment shall be made to them in respect of such Right, and except such other Rights and Interests as the Intents and Purposes hereby authorized shall absolutely require to be barred, destroyed, or extinguished by this Act, and all Persons respectively claiming under them or in Remainder after them,) all such Estate, Right, Title, Interest, Claim, and Demand, as they, every, or any of them had or enjoyed of, in, to, or out of the said Open and Common Fields, Meadows, Pastures, and other Commonable Lands, Moors, and Waste Grounds hereby intended to be divided, allotted, and inclosed, or into or out of the present inclosed Lands and other Hereditaments within the several Parishes aforesaid, or elsewhere, before the passing of this Act, or could or might have held or enjoyed in case this Act had not been made.

General
Saving.

Evidence
Clause.

LIII. And be it further enacted, That this Act shall be printed by the several Printers to the King's most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom; and a Copy thereof, so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1821.