



# Inclosure Act 1849

1849 CHAPTER 83 12 and 13 Vict

An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands. [1st August 1849]

## Modifications etc. (not altering text)

- C1** Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2** Functions of Inclosure Commissioners for England and Wales now exercisable by Secretary of State: [Settled Land Act 1882 \(c. 38\), s. 48\(1\)](#), [Board of Agriculture Act 1889 \(c. 30\), s. 2\(1\)\(b\)](#), [Sch. 1 Pt. II](#), [Board of Agriculture and Fisheries Act 1903 \(c. 31\), s. 1\(1\)](#), [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1](#), [S.I. 1955/554 \(1955 I p. 1200\)](#), [1965/143](#), [1967/156](#) and [1970/1681](#)
- C3** Preamble (which recites [Inclosure Act 1845 \(c. 118\)](#), [Inclosure Act 1846 \(c. 70\)](#), [Inclosure Act 1847 \(c. 111\)](#) and [Inclosure Act 1848 \(c. 99\)](#)) omitted under authority of [Statute Law Revision Act 1891 \(c. 67\)](#)  
Act: powers transferred (1.7.1999) by virtue of [S.I. 1999/672, art. 2, Sch.1](#)

## Commencement Information

- I1** Act wholly in force at Royal Assent.

**F1** .....

## Textual Amendments

- F1** [S. 1](#) repealed (19.11.1998) by [1998 c. 43, s. 1\(1\)](#), [Sch. 1 Pt.VI](#)

**F2** .....

## Textual Amendments

- F2** [S. 2](#) repealed (19.11.1998) by [1998 c. 43, s. 1\(1\)](#), [Sch. 1 Pt.VI](#)

*Changes to legislation: There are currently no known outstanding effects for the Inclosure Act 1849. (See end of Document for details)*

F3<sup>3</sup> .....

**Textual Amendments**  
F3 S. 3 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

F4<sup>4</sup> .....

**Textual Amendments**  
F4 S. 4 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

F5<sup>5</sup> .....

**Textual Amendments**  
F5 S. 5 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

F6<sup>6</sup> .....

**Textual Amendments**  
F6 S. 6 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

**7 Exchange and partition of rights, &c.**

All the provisions of the said recited Acts applicable to the powers of exchange <sup>F7</sup> . . . under the said recited Acts shall extend and be applicable to the exchange of all rights of common, rights of fishing, manorial and other rights, and all easements over any land, and all quit rents, chief rents, heriots, tithes, and rent-charges, for any other of the said rights, easements, and things, whether of the same or a like or different nature, or for land <sup>F7</sup> . . . ; and when two or more persons shall be interested jointly, severally, as a class, or in common, in any rights or property proposed to be exchanged <sup>F7</sup> . . . under this or the said recited Acts, the application of two thirds in value of the persons so interested jointly, severally, as a class, or in common, as aforesaid, shall be deemed the application of all persons interested or having any estate therein.

**Textual Amendments**  
F7 Words in s. 7 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

F8<sup>8</sup> .....

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*Changes to legislation: There are currently no known outstanding effects for the Inclosure Act 1849. (See end of Document for details)*

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**Textual Amendments**

**F8** S. 8 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI.

**F<sup>9</sup>9** .....

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**Textual Amendments**

**F9** S. 9 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

**F<sup>10</sup>10** .....

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**Textual Amendments**

**F10** S. 10 repealed (19.11.1998) by 1998 c. 43, s. 1(1), Sch. 1 Pt.VI

**11 Lands held under separate titles, by the same person may be exchanged.**

And whereas doubts have arisen whether, under the said recited Acts, a person interested in several subject matters of exchange, but held under separate titles, or for distinct and separate interests, or subject to separate charges or incumbrances, can effect an exchange thereof: Be it declared and enacted, that the person so interested as aforesaid may effect exchanges of such several subject matters of exchange, in such and the same manner as if different persons had been interested therein.

**12 Recited Acts deemed part of this Act.**

This Act shall be taken to be a part of the said recited Acts, and be construed therewith.

**Changes to legislation:**

There are currently no known outstanding effects for the Inclosure Act 1849.