



# Inclosure Act 1852

## 1852 CHAPTER 79

### **XIII Obtaining Possession of Encroachments. Expenses.**

When any Person by whom any Encroachment or Inclosure, of whatever Value, which under the said firstly-recited Act shall be deemed to be Parcel of the Land subject to be inclosed, shall be actually occupied, shall neglect or refuse to quit and deliver up Possession of the same, or any Part thereof, to the Valuer acting in the Matter of the Inclosure, within One Calendar Month next after the Determination of Claims under the said firstly-recited Act, the Possession thereof may be recovered by such Valuer, under the Provisions of the Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her Majesty, Chapter Seventy-four, in such and the same Manner as if such Occupier of an Encroachment or Inclosure were the Tenant of a House, Land, or Corporeal Hereditament the Possession of which is recoverable under such last-mentioned Act, whose Term or Interest had ended, and the Valuer were the Landlord of the said Premises : Provided always, that the Form of Notice of Valuer's Intention to apply to Justices to recover Possession, " Complaint before Two Justices," and " Warrant to Peace Officer to take and give Possession," set forth in the Schedule to this Act, shall be substituted for the Forms set forth in the Schedule to the said last-mentioned Act; and all Costs and Expenses incurred by the Valuer in the Recovery of the Possession of Encroachments or Inclosures, or incident thereto or arising therefrom, shall be deemed Expenses in the Matter of such Inclosure.