



Inclosure Act 1845

1845 CHAPTER 118 8 and 9 Vict

73 Allotments for public purposes.

^{F1} . . . And the fences of such allotment shall for ever afterwards be repaired and maintained, and the surface thereof kept drained and level, by such churchwardens and overseers, or by the churchwardens and overseers of the several parishes interested therein, in such proportions and manner as shall be directed by the valuer, out of the rents to be received for the herbage of the said allotment, or out of the poor rate of the said parish or respective parishes, or otherwise; and the grass and herbage growing upon such allotment may be from time to time let by the churchwardens and overseers in whom the same shall be vested, and the rents which shall be received by them for the same shall be by them from time to time applied in the first place in maintaining and repairing the fences of the said allotment, and keeping the surface thereof drained and level as aforesaid . . . ^{F2F1} . . . and all allotments which shall be made to the churchwardens and overseers under this Act shall be held by the churchwardens and overseers of the poor for the time being in the same manner and with the same legal powers and incidents as if the same allotments were lands belonging to the parish, but in trust nevertheless for the purposes for which the same shall be allotted, and subject, as to the said allotment for the labouring poor, to the provisions in relation thereto herein-after contained, and, as to all other such allotments, subject to such directions for the maintenance, fencing, management, and use thereof as the valuer, with the approbation of the commissioners, may think fit.

Textual Amendments

- F1** Words in s. 73 repealed (19.11.1998) by 1998 c. 43, s. 1(1), [Sch. 1 Pt. VI](#)
F2 Words repealed by [Statute Law Revision Act 1891](#) (c. 67)

Modifications etc. (not altering text)

- C1** Reference to poor rate, except in application of section to City of London and Temples, to be construed as reference to general rate: [General Rate Act 1967](#) (c. 9), [s. 116\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Inclosure Act 1845, Section 73.