



CHAPTER xlv.

An Act to confirm a Provisional Order under the Inclosure Acts 1845 to 1882 for the Regulation of Skipwith Common in the Parish of Skipwith in the County of York and a Provisional Order under the said Acts for the Inclosure of the Common Fields in the same parish. A.D. 1901.
[2nd July 1901.]

WHEREAS the Board of Agriculture did in pursuance of the Inclosure Acts 1845 to 1882 issue in the year one thousand nine hundred the Provisional Order of Regulation and the Provisional Order of Inclosure set forth in the schedule hereto and in a special report certified that it was expedient that the same should be confirmed by Parliament: 8 & 9 Vict.
c. 118. &c.

And whereas a Committee of the House of Commons to which the same Provisional Orders were referred recommended that the same should be confirmed without modification:

And whereas the said regulation and inclosure cannot be proceeded with without the previous authority of Parliament:

Be it therefore 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 as follows:—

1. The Provisional Order of Regulation and the Provisional Order of Inclosure set forth in the schedule to this Act are hereby confirmed. Orders in
schedule
confirmed

2. This Act may be cited as the Regulation and Inclosure (Skipwith) Provisional Orders Act 1901. Short title.

S C H E D U L E.

A.D. 1901. PROVISIONAL ORDER FOR THE REGULATION OF SKIPWITH
COMMON.

WHEREAS persons interested in certain lands called or known as Skipwith Common (herein-after referred to as "the said Common") situate in the parish of Skipwith in the county of York such lands being a Common within the meaning of the Inclosure Acts 1845 to 1882 have made application to the Board of Agriculture to issue a Provisional Order for the regulation of the said Common and to certify that it is expedient that such Provisional Order should be confirmed by Parliament;

And whereas it has been made to appear to the said Board that the persons making the said application represent at least one third in value of such interests in the said Common as are proposed to be affected by the Provisional Order;

And whereas the said Board having taken the said application into consideration were satisfied that a *primâ facie* case had been made out and that regard being had to the benefit of the neighbourhood as well as to private interests it was expedient to proceed further in the matter and accordingly ordered a local inquiry to be held by an officer of the Board;

And whereas the said officer having caused public notice to be given as required by the said Acts held pursuant to the said notice public meetings at the schoolroom at Skipwith on the 10th and 11th days of January 1900 at the respective hours of half-past ten in the morning and eight in the evening to hear all persons desirous of being heard on the subject-matter of the said application and any information or evidence which might be offered in relation thereto and inquired into the correctness of the statements in the said application and otherwise into the expediency of making the Provisional Order applied for and into the nature of the provisions to be inserted in such Provisional Order;

And whereas the said officer inspected the said Common as required by the said Acts;

And whereas the said officer duly reported in writing to the said Board the result of the local inquiry and of the public meetings held by him together with all the information and other matters required by the said Acts and annexed to his report a sketch map of the said Common;

And whereas the provisions of the said Acts have been in all other respects complied with;

And whereas the Board have prepared and sealed a map showing the reputed boundaries of the said Common;

And whereas the said Common is waste land of the manor of Skipwith and the Right Honourable Beilby Baron Wenlock the lord of the said manor claims to be entitled as such lord to the soil of the said Common and to the mines and minerals thereunder:

Now therefore the Board of Agriculture being satisfied that regard being had to the benefit of the neighbourhood as well as to private interests it is expedient to proceed further in the matter do by virtue of the powers in this behalf given to them by the Inclosure Acts 1845 to 1882 and the Board of Agriculture Act 1889 make this their Provisional Order as follows (that is to say) :—

A.D. 1901.

I.—For the adjustment of rights in respect of the said Common the following provisions shall be put in force :—

Adjustment of rights.

- (a) As respects rights of common of pasture the determination of the persons by whom the stock by which and the times at which such common of pasture is to be exercised ;
- (b) As respects rights of common of turbary (should such rights be found to exist) the determination of the persons by whom and the mode and place or places in which and the times at which such rights are to be exercised.

II.—For the improvement of the said Common the following provisions shall be put in force :—

Improvement.

There shall be five conservators of the said Common to be appointed as follows (that is to say) One by the lord of the manor one by the Riccall Rural District Council one by the Skipwith Parish Meeting and two by the persons entitled to rights of common and such conservators shall have power to—

Conservators.

- (a) Drain manure and level the said Common ; and
- (b) Plant trees on the said Common or in any other way improve or add to the beauty of the said Common ; and
- (c) Make byelaws and regulations for the prevention of or protection from nuisances or for keeping order on the said Common including the regulation of the exercise of lawful rights of common subsisting thereon such byelaws and regulations being subject to any such confirmation as is by law required ; and
- (d) Generally manage the said Common.

III.—For the benefit of the neighbourhood—

Provisions for the benefit of neighbourhood.

- (a) There shall be reserved a right of free access to the said Common and a privilege of enjoying recreation thereon and of playing games on " Little Common " and on such other parts of the said Common as may be appointed by the conservators for the purpose at such times and in such manner as may from time to time be prescribed by any byelaws and regulations to be made by the conservators and confirmed as by law required and the conservators may cause any part or parts for the time being appointed for the playing of games as aforesaid to be temporarily inclosed with posts and chains or other open fences ;
- (b) The tumuli on the said Common shall so far as possible be preserved by the conservators ;
- (c) The conservators shall have power to set out make and maintain new carriage roads bridlepaths and footpaths over the said Common.

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Provisional Orders Act, 1901.

A.D. 1901.

Expenses.

IV.—The expenses of and incidental to the regulation of the said Common shall be raised by means of a rate or rates to be levied by the valuer on the persons entitled to rights of common in or upon the said Common in proportion to the value of their respective rights as determined by the valuer for the purposes of the regulation.

The expenses incurred by the conservators from time to time in the improvement or protection of the said Common shall be raised by means of rates to be levied by the conservators on the persons entitled to rights of common in or upon the said Common or by means of any moneys applicable to the purpose which may come into the hands of the conservators.

Reservation of
rights of lord
of the manor.

V.—This Provisional Order is to be without prejudice to the rights of the lord of the manor in the soil of the said Common and in the mines and minerals thereunder and all such rights may be exercised in the same manner and to the same extent as if this Provisional Order had not been made.

Award.

VI.—For the purpose of giving complete effect to this Provisional Order there shall be inserted in the award to be made in pursuance of the Inclosure Acts 1845 to 1882 such provisions not inconsistent with those Acts as the Board of Agriculture shall think desirable and proper.

In witness whereof the Board of Agriculture have hereunto set
their official seal this twentieth day of July one thousand nine
hundred.

T. H. ELLIOTT
Secretary.

L.S.

PROVISIONAL ORDER FOR THE INCLOSURE OF SKIPWITH OPEN
FIELDS.

WHEREAS persons interested in certain lands called or known as the Open Fields (herein-after referred to as "the said Common") situate in the parish of Skipwith in the county of York such lands being a common within the meaning of the Inclosure Acts 1845 to 1882 have made application to the Board of Agriculture to issue a Provisional Order for the inclosure of the said Common and to certify that it is expedient that such Provisional Order should be confirmed by Parliament;

And whereas it has been made to appear to the said Board that the persons making the said application represent at least one third in value of such interests in the said Common as are proposed to be affected by the Provisional Order;

And whereas the said Board having taken the said application into consideration were satisfied that a *prima facie* case had been made out and that regard being had to the benefit of the neighbourhood as well as to private interests it was expedient to proceed further in the matter and accordingly ordered a local inquiry to be held by an officer of the Board;

And whereas the said officer having caused public notice to be given as required by the said Acts held pursuant to the said notice public meetings at the schoolroom at Skipwith on the 10th and 11th days of January 1900 at the respective hours of half-past ten in the morning and eight in the evening to hear all persons desirous of being heard on the subject-matter of the said application and any information or evidence which might be offered in relation thereto and inquired into the correctness of the statements in the said application and otherwise into the expediency of making the Provisional Order applied for and into the nature of the provisions to be inserted in such Provisional Order ;

A.D. 1901.

And whereas the said officer inspected the said Common as required by the said Acts ;

And whereas the said officer duly reported in writing to the said Board the result of the local inquiry and of the public meetings held by him together with all the information and other matters required by the said Acts and annexed to his report a sketch map of the said Common ;

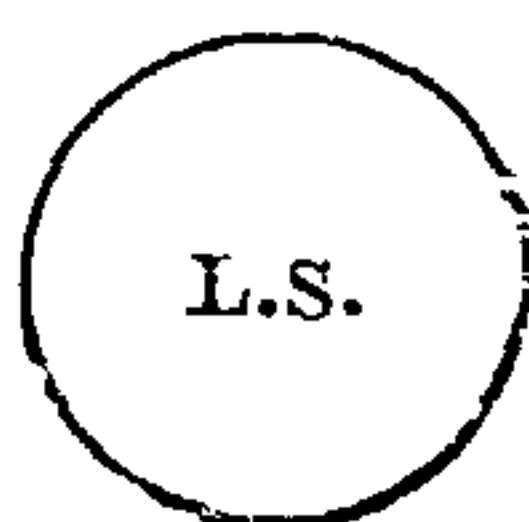
And whereas the provisions of the said Acts have been in all other respects complied with ;

And whereas the Board have prepared and sealed a map showing the reputed boundaries of the said Common :

Now therefore the Board of Agriculture being satisfied that regard being had to the benefit of the neighbourhood as well as to private interests it is expedient to proceed further in the matter do by virtue of the powers in this behalf given to them by the Inclosure Acts 1845 to 1882 and the Board of Agriculture Act 1889 make this their Provisional Order for the inclosure of the said Common upon the following terms and conditions (that is to say) :—

- (1) Three acres part of the Open Field called "Mill Roods" near the village of Skipwith shall be set out as an allotment for field-gardens.
- (2) Carriage roads bridle roads and footpaths shall if found necessary be set out to the satisfaction of the Board of Agriculture in such directions as may appear most commodious.

In witness whereof the Board of Agriculture have hereunto set their official seal this twentieth day of July one thousand nine hundred.



T. H. ELLIOTT
Secretary.

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