



ANNO QUADRAGESIMO NONO

# GEORGIUS III. REGIS.

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## Cap. 102.

An Act for inclosing Lands in the Parish of *Cheadle*,  
in the County of *Stafford*. [20th May 1809.]

**W**HEREAS there are within the Manor of *Cheadle*, in the Parish of *Cheadle*, in the County of *Stafford*, certain Commons and Waste Lands, containing in the Whole, by Estimation, Seven hundred Acres or thereabouts: And whereas *Charles Abbott* Esquire, and *Matthew Dobson* Gentleman, are Lords of the said Manor of *Cheadle*, and as such are entitled to the Soil of the said Commons and Waste Lands: And whereas the Reverend *John Jackson* Clerk, is Rector of the Parish of *Cheadle* aforesaid, and entitled to the Tithes arising from certain Lands, Tenements, and Hereditaments within the said Manor of *Cheadle*, and is also entitled to certain Glebe Lands within the said Manor: And whereas the said *Charles Abbott* and *Matthew Dobson*, *James Beech* Esquire, *Elizabeth Holliday* Widow, *Peter Whitehall Davies* Esquire, *Thomas Swinnerton* Esquire, *Robert Charles Greaves* Esquire, *James Bulkeley* Esquire, and divers other Persons, are the Proprietors of Messuages, Lands, Tenements, and Hereditaments within the said Manor, in respect whereof they are entitled to Rights of Common in and upon the said Commons and Waste Lands: And whereas an Act was passed in the Forty-fifth Year of the Reign of His present 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 it would be of great Benefit and Advantage to the several Persons interested in the said Commons and Waste Lands if the same were divided and inclosed, and specific Parts and Shares thereof assigned and allotted unto the said several Persons interested, according and in Proportion to their several and respective Properties, Rights, and Interests therein: But such Division, Allotment, and Inclosure cannot be effectually made and established 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

[*Loc. & Per.*]

22 2

Spiritual

Commis-  
sioners.

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Robert Harvey*, of *Dunstall* in the County of *Stafford*, Gentleman, and *Richard Smith*, of *Cheadle* aforesaid, Gentleman, and their Successors, to be appointed in manner hereinafter mentioned, shall be and they are hereby appointed Commissioners for setting out, dividing, and allotting the said Commons and Waste Lands in manner hereinafter directed, and for carrying this Act into Execution, with, under, and subject to such of the Powers, Authorities, Directions, Rules, Orders, Clauses, and Provisions, contained in the said recited Act as are not varied or altered, or repugnant to or otherwise provided for by this Act.

Power to  
elect new  
Commis-  
sioners.

II. Provided always, and be it further enacted, That when and so often as either of the Commissioners hereinbefore named or to be appointed in manner hereinafter mentioned, shall, before the Execution of all the Powers and Authorities vested in them, die or become incapable of acting, or refuse to act as a Commissioner in the Execution of this Act, then and in any of such Cases a new Commissioner or Commissioners; not being in any manner interested in the Commons and Waste Lands hereby directed to be divided, allotted, and inclosed, shall and may be nominated and appointed in manner following; (that is to say), if the said *Robert Harvey* shall die or become incapable of acting, or shall refuse to act as aforesaid, it shall be lawful for the said *Charles Abbott* and *Matthew Dobson*, or the Survivor of them, or the Heirs or Assigns of such Survivor, by any Instrument in Writing under their or his Hands or Hand, to appoint one other Commissioner in the room of the said *Robert Harvey*, and so from Time to Time as often as any Commissioner appointed by the said *Charles Abbott* and *Matthew Dobson*, or the Survivor of them, or the Heirs or Assigns of such Survivor, shall die or become incapable of acting, or shall refuse to act as aforesaid; and if the said *Richard Smith* shall die or become incapable of acting, or shall refuse to act as aforesaid, then and in such Case *John Tilesey*, of *Caverswall*, in the said County of *Stafford*, Gentleman, is hereby appointed a Commissioner in the room of the said *Richard Smith*; and in case the said *John Tilesey* shall die or become incapable of acting, or refuse to act as aforesaid, it shall be lawful for the major Part in Value (to be ascertained by the Land Tax Assessment) of the Proprietors or Persons seized or entitled in Possession of or to the said Commons and Waste Lands hereby directed to be inclosed (except the Lord or Lords of the said Manor for the Time being), who by themselves or their respective Agents or Attornies shall attend at a Meeting to be convened by one or more of such Proprietors or Persons, at some convenient Place in *Cheadle* aforesaid, by Notice to be inserted in *The Staffordshire Advertiser*, and *The Pottery Gazette*; and in case of those Newspapers being discontinued, in some other Newspaper circulated in the Neighbourhood of *Cheadle* aforesaid, and to be affixed on one of the principal outer Doors of the Parish Church of *Cheadle* aforesaid, at least Ten Days before such Meeting, by Writing under their respective Hands, to appoint, from Time to Time, some other fit and proper Person, not interested in the said Division and Inclosure, to be a Commissioner in the room of the said *John Tilesey*, and so from Time to Time as often as any Commissioner to be appointed as last aforesaid, shall die or become incapable of acting, or shall refuse to act as aforesaid; and in case the said respective Parties, or any of them, shall make default  
in

in appointing any such new Commissioner within Thirty-one Days next after the Death of any Commissioner, or his becoming incapable of acting, or refusal to act, then the surviving or remaining Commissioner shall and he is hereby required from Time to Time, by Writing under his Hand, to nominate and appoint a Commissioner or Commissioners, as the Case may require, in the room of every such Commissioner so dying, becoming incapable of acting, or refusing to act; and every Commissioner so to be appointed shall, after taking the Oath prescribed in that behalf, have the like Powers and Authorities in all respects for carrying this and the said recited Act into Execution, as if he or they had been originally named and appointed a Commissioner or Commissioners in and by this Act.

III. Provided always, and be it further enacted, That if the Commissioners for the Time being for executing this Act and the said recited Act, shall disagree in their Opinion upon any Point or Matter relating to the Execution of this Act or the said recited Act, *Thomas Rowley* of *Overton* in the County of *Stafford*, shall be and he is hereby appointed an Umpire to determine the Point or Matter of such Disagreement or Disagreements in Opinion; and in case the said *Thomas Rowley* shall die, refuse to act, or become incapable of acting as such Umpire, it shall be lawful for the Commissioners for the Time being, by Writing under their Hands, at any Meeting to be holden for the Execution of this Act, to appoint another Person (not interested in the said Division and Inclosure) to be an Umpire in the place and stead of the said *Thomas Rowley*; and in case, and when and as often as a Vacancy shall afterwards happen, by the Death, Refusal, or Disability of the Umpire, such Vacancy shall be supplied from Time to Time by the said Commissioners in the Manner aforesaid, and such Umpire so to be appointed as aforesaid, shall have the like Powers and Authorities to act, in determining the Point or Matter of any Disagreement or Disagreements in Opinion of the said Commissioners, as if he had been hereby and herein named and appointed Umpire; and in case the said Commissioners shall make Default in appointing a new Umpire, within Fourteen Days next after such last mentioned Vacancy, the said Commissioners shall, as soon as conveniently may be, give Notice thereof in One or more Newspapers published or circulated in the said County of *Stafford*, and by Writing affixed upon the Church Door of the Parish of *Cheadle*, and thereupon it shall and may be lawful to and for the major Part in Value of the said Proprietors (to be ascertained as aforesaid) at a Meeting to be holden in like Manner as is hereinbefore directed with respect to the Meeting to be held for the Appointment of a new Commissioner in the Place of the said *Richard Smith*, to appoint another Person (not interested in the said Division) to be an Umpire in the place and stead of the said *Thomas Rowley*, and so from Time to Time as Occasion shall require.

IV. 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; (that is to say):

I do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute and perform

perform the several Trusts, Powers, and Authorities vested and reposed in me as an Umpire, by virtue of an Act passed in the Forty-ninth Year of the Reign of King *George* the Third, intituled [*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.’

Which Oath the said Commissioners, or either of them are, and is hereby authorized and required to administer to the said Umpire; and the several Writings appointing such new Umpire shall be annexed to, and inrolled and deposited with the Award of the said Commissioners, and a Copy of the Inrolment thereof shall be admitted as legal Evidence.

Clerk to  
Commis-  
sioners.

V. And be it further enacted, That the Commissioners shall and they are hereby authorized and empowered to appoint a Clerk to assist them in the Execution of the Powers of this Act.

Survey and  
Plan to be  
made.

VI. And be it further enacted, That all Surveys and Admeasurements and Plans requisite and necessary to be made and taken for the Purposes of carrying this Act into Execution, shall be made and taken by such Person or Persons as the said Commissioners shall from Time to Time nominate and appoint.

Surveys al-  
ready made  
may be used.

VII. Provided always, and be it enacted, That the several Persons claiming to be entitled to Allotments in and upon the said Commons and Waste Lands hereby directed to be inclosed, shall respectively produce to the said Commissioners Surveys and Admeasurements of the Estates and ancient inclosed Lands, in respect whereof they shall claim such Allotments, and so far as the same Surveys and Admeasurements shall appear to the said Commissioners to be satisfactory, they shall be received by the said Commissioners as and for true and perfect Surveys and Admeasurements of the Estates and ancient inclosed Lands therein respectively comprized, and that such Surveys and Admeasurements, or Copies thereof, shall be kept by the said Commissioners for the Purposes of this Act.

Commis-  
sioners em-  
powered to  
take fresh  
Surveys  
where those  
produced are  
incorrect.

VIII. Provided also, and be it further enacted, That in all Cases where Surveys or Admeasurements shall be produced, which in the Judgement of the said Commissioners shall appear to be incorrect or improper; or in case any Person or Persons claiming any Allotment or Allotments in and upon the said Commons and Waste Lands hereby directed to be inclosed, shall refuse or neglect to produce to the said Commissioners, within One Month after Notice to him, her, or them for that Purpose given, sufficient and satisfactory Surveys and Admeasurements of his, her, or their respective Estates and ancient inclosed Lands, in respect whereof he, she, or they shall claim to be entitled to any Allotment or Allotments in and upon the said Commons and Waste Lands as aforesaid, that then and in either of such Cases it shall and may be lawful to and for the said Commissioners, and they are hereby required to make and take, or cause to be made and taken, Surveys and Admeasurements of all such Estates and ancient inclosed Lands whereof no satisfactory Surveys or Admeasurements shall be produced to them as aforesaid, and the Costs and Expences of all such Surveys shall be paid and borne by the respective Owners of such Estates  
and

and ancient inclosed Lands within Fourteen Days after Demand; and in Default thereof, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands, directed to any Person or Persons whomsoever, to cause such Costs and Expences to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) upon demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges of such Distress and Sale.

IX. And be it further enacted, That the said Commissioners shall cause public Notice to be given upon some *Sunday* before or during Divine Service, by Writing to be affixed on one of the principal outer Doors of the Parish Church of *Cheadle*, and also by Advertisement to be inserted in the said Newspaper called *The Staffordshire Advertiser*, and in case of that Paper being discontinued, in some other Newspaper circulated in the Neighbourhood of *Cheadle* aforesaid, of the Time and Place of the First and every subsequent Meeting for the Execution of this Act, Ten Days at least before such Meeting shall be held, (Meetings by Adjournment which the said Commissioners are hereby authorized from Time to Time to make, only excepted), and that all other Notices necessary or requisite to be made and given by the said Commissioners in the Execution of this or the said recited Act, shall be made and given by Writing and Advertisement in like Manner as hereinbefore is mentioned; provided that all the Meetings of the said Commissioners and Proprietors in pursuance of this Act shall be held in the Parish of *Cheadle* aforesaid, or within the Distance of Eight Miles from the Boundary of the said Parish.

Notice of Meetings.

X. And be it further enacted, That all Encroachments which shall have been made upon or from the said Commons and Waste Lands for Twenty Years or upwards, without legal Entry or Interruption before the First Day of *January* One thousand Eight hundred and Eight, with the Cottages and Buildings thereon, and for which any Rents or Acknowledgments have been paid to the said *Charles Abbott* and *Matthew Dobson*, or to any former Lord or Lords of the said Manor, within that Period, shall be deemed to belong to, and are hereby declared to be vested in the said *Charles Abbott* and *Matthew Dobson*, and their Heirs, and that such other Encroachments which shall have been made upon or from the said Commons and Waste Lands for Twenty Years and upwards, without legal Entry or Interruption before the said First Day of *January* One thousand Eight hundred and Eight, and for which no Rents or Acknowledgments have been paid to the said *Charles Abbott* and *Matthew Dobson*, or to any former Lord or Lords of the said Manor, within that Period, shall, with the Cottages and Buildings thereon, be deemed to belong to, and are hereby declared to be the sole Property of the Person or Persons in his, her, or their own Right, occupying or receiving Rent for the same.

Encroachments made above Twenty Years.

XI. And be it further enacted, That all Encroachments which shall have been made upon or from the said Commons and Waste Lands, by any Person or Persons who is, are, or shall be entitled to any Abolment from the same by virtue of this Act, and which shall have been so made within Twenty Years next before the said First Day of *January*, One thousand

Encroachments made under Twenty Years.

thousand eight hundred and eight, or at any Time or Times before that Period, in which legal Entries or Interruptions have been made, shall be deemed Part of such Commons and Waste Lands ; but all such last mentioned Encroachments, with the Buildings thereon, shall be allotted to the Person or Persons who at the Time of making the Allotments under this Act, shall, in his, her, or their own Right, be in Possession of, or in Receipt of or entitled to the Rents and Profits of such Encroachments, for his, her, or their Share or Proportion of the said Commons and Waste Lands by virtue of this Act, or so far as the same will extend in Value according to its original State when inclosed, or to the Value of the Waste Lands adjoining ; but in Case any such last-mentioned Encroachments shall in the Judgement of the said Commissioners, be of greater Value than the Share or Proportion of the said Commons or Waste Lands, which the Person or Persons so entitled ought to have by virtue of this Act, then and in such Case the said Commissioners are hereby authorized to sell and allot such Encroachments or Parts of Encroachments to such Person or Persons who, if he, she, or they was or were entitled to a sufficient Allotment from the said Commons and Waste Lands, would be entitled to have the same allotted as aforesaid, at such Sum or Sums of Money as the said Commissioners shall adjudge to be the Value thereof, to be estimated as aforesaid, and the said Commissioners shall receive and apply the same for the Purpose of this Act, in aid of the other Monies hereinafter directed to be raised for such Purposes ; and if the Money received shall be more than sufficient for those Purposes, the Surplus thereof shall be paid and applied in the Manner hereinafter directed ; and if any such last-mentioned Persons shall refuse or neglect to pay such Sum or Sums or Money as the said Commissioners shall so adjudge, order or direct, and at the Time fixed by them for that Purpose, then such Encroachments which shall not be so paid for as aforesaid, shall be deemed and they are hereby declared to be Parts of the said Commons and Waste Lands, and shall be surveyed, measured, and allotted as Part thereof.

Parishioners  
of Cheadle  
who have en-  
croached may  
buy their En-  
croachments.

XII. And be it further enacted, That if any other Person or Persons shall be in Possession of or entitled to the Rents and Profits of any such last-mentioned Encroachments, who shall not be entitled to any Allotment from the said Commons and Waste Lands under or by virtue of this Act, and who shall be a Parishioner or Parishioners legally settled in the said Parish of *Cheadle* (but not otherwise), that then and in such Case it shall and may be lawful to and for the said Commissioners, and they are hereby required upon Application for that Purpose made by or on behalf of such Person or Persons, on or before the Fourth Meeting of the said Commissioners, to sell and allot such Encroachments, with all Buildings thereon erected, unto such Person or Persons, his, her or their Heirs and Assigns for ever, he or they paying for the same such Sum or Sums of Money, and at such Time or Times as the said Commissioners shall order and direct, to be also by them applied for the Purposes of this Act, in aid of the other Monies hereby directed to be raised for such Purposes ; and if the Monies so received as last aforesaid shall be more than sufficient for those Purposes, the Surplus thereof shall be paid and applied in the Manner hereinafter directed : Provided always, that in Case any such last-mentioned Encroachments shall, in the Judgement of the said Commissioners, be thought proper or more convenient to be laid to the Lands of any Person entitled to an Allotment or Allotments from the said Commons and Waste Lands

Lands, then and in such Case the said Commissioners are hereby required to allot such last-mentioned Encroachments, or such Parts thereof as they shall think proper, unto such other Person or Persons so entitled, in part or in full of his, her, or their Allotment or Allotments, as the Case may be, and shall be at liberty to order and direct such Allowance or Compensation to be made by the Person to whom the same shall be so allotted, to the Person or Persons from whom such Encroachments shall be taken, as to the said Commissioners shall seem reasonable, if any.

XIII. And be it further enacted, That if any such Person or Persons being a settled Parishioner or Parishioners of the said Parish of *Cheadle*, but not entitled to any Allotment from the said Commons and Waste Lands, who shall be in Possession of or entitled to the Rents and Profits of any such Encroachments as are hereinbefore mentioned, and who shall not make such Application, or shall neglect or refuse to pay such Sum or Sums of Money for such Encroachments, with the Buildings thereon, as the said Commissioners shall order and direct as aforesaid; or in case any other Person or Persons, not being a Parishioner or Parishioners legally settled in the said Parish of *Cheadle*, shall be in the Possession of or entitled to the Rents and Profits of any such Encroachments as are hereinbefore mentioned, that then and in either of the said Cases, it shall and may be lawful to and for the said Commissioners, and they are hereby directed to sell and dispose of all such Encroachments, with the Buildings thereon erected, and to apply the Monies arising by such Sale in aid of the Monies hereinafter directed to be raised for the Purposes of this Act, in the manner hereinafter mentioned, or otherwise to allot the same as Part of the said Wastes, as to the said Commissioners shall seem most expedient; provided, that if any Surplus shall remain of the Monies produced by any such Sale or Sales as aforesaid, and hereinbefore directed to be applied in aid of the Monies to be raised for the Purposes of this Act, such Surplus shall be divided between the several Persons interested in the said Lands and Grounds in proportion to their respective Interests and Property therein, and the Shares of such of them as shall be Tenants thereof in Fee Simple shall be paid to them respectively, and the Shares of such other Persons respectively shall be paid and applied in the manner directed by the said Act of the Forty-first Year of His present Majesty, with respect to Money to be paid for the Purchase or Exchange of 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.

As to Encroachments not bought or made by Parishioners.

XIV. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required to set out and allot such Part and Parcel of the said Commons and Waste Lands hereby intended to be divided and inclosed, as they shall think proper, for the Purposes of public Watering Places for Cattle, or digging for and getting of Stone, Sand, Gravel, and other Materials for the making and repairing of the Highways and other Roads within the said Manor or Parish of *Cheadle*, and for the Use of the Proprietors of Estates within the same Manor and Parish, and their Tenants for the Time being, for and in respect of their Estates within the same.

Land to get Materials for repairing Roads.

XV. And

Commis-  
sioners to sell  
Lands to de-  
fray Ex-  
pences.

XV. And be it further enacted, That after the said Commissioners shall have set out and allotted the public Roads or Highways in pursuance of the said recited Act, and such Allotment or Allotments for the Purposes of Watering Places, getting Materials, and other public Uses as aforesaid, they the said Commissioners shall and they are hereby required to sell and dispose of, pursuant to the Directions of the said recited Act, so much and such Part and Parts of the said Commons and Waste Lands intended to be divided, allotted, and inclosed by virtue of this Act, which they shall think best adapted for Sale, and most for the Benefit of the Proprietors and Persons interested therein, as they the said Commissioners shall think sufficient, together with the Monies which may be raised under the Provisions hereinbefore contained, for the Purpose of defraying the whole of the Costs, Charges, and Expences of preparing and obtaining this Act, and of making Surveys, Admeasurements, and Valuations in pursuance of this Act, and of dividing and allotting the said Commons and Waste Lands, and of preparing and inrolling the Award of the said Commissioners, and all the Charges and Expences of the said Commissioners, their Clerks, Assistants, and Servants, and all other necessary Expences of the several Persons to be employed by the said Commissioners in and about the Premises, either before or after the Execution of the said Award, and all the Expences of setting out, forming, completing, and repairing the public Carriage Roads and Highways to be set out and appointed by the said Commissioners pursuant to the said recited Act, and all other Expences of carrying this and the said recited Act into execution.

If not suffi-  
cient sold to  
pay Ex-  
pences, Re-  
mainder to  
be raised by  
a Rate.

If more Mo-  
ney raised by  
Sale than ne-  
cessary how  
to be dis-  
posed of.

XVI. Provided always, and be it further enacted, That in case the said Commissioners shall find that they have not raised, by virtue of the several Provisions hereinbefore contained, sufficient Monies to defray and pay the whole of such Costs, Charges, and Expences, then and in such Case the several and respective Persons interested in the said Commons and Waste Lands so intended to be divided and inclosed, shall pay and contribute such Sum and Sums of Money towards paying the Remainder of the said Costs, Charges, and Expences, in proportion and according to the Value of their several and respective Shares and Interests in and to the said Commons and Waste Lands, at such Time and Place, or Times and Places as the said Commissioners shall, either before or after the Execution of the said Award, by Notice or Notices in Writing under their Hands, direct or appoint, and the said Commissioners shall and they are hereby authorized to make a Rate or Assessment thereof accordingly under their Hands; and if the said Commissioners shall happen to raise more Money by Sale as aforesaid than will pay and defray the whole of the said Costs, Charges, and Expences, then and in that Case, if such Overplus shall amount to the Sum of Twenty Pounds or upwards, such Surplus shall be divided between the several Persons interested in the said Lands and Grounds, in Proportion to their respective Interest and Property therein; and the Shares of such of them as shall be Tenants thereof in Fee Simple, shall be paid to them respectively, and the Shares of such other Persons respectively shall be applied in the Manner directed by the said recited Act, with respect to Money to be paid for the Purchase or Exchange of 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;



Uses; but if such Overplus shall not amount to the Sum of Twenty Pounds, then the said Commissioners shall by their Award or any Writing under their Hands, direct in what Manner such last-mentioned Overplus shall be applied for the general Benefit of the Persons interested in the said Commons and Waste Lands, and shall pay and apply the same accordingly.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required in the next Place to allot and award unto and for the said *Charles Abbott* and *Matthew Dobson*, their Heirs and Assigns, as Lords of the said Manor of *Cheadle* for the Time being, so much and such Part and Parts of the Residue of the said Commons and Waste Lands, as shall in the Judgement of the said Commissioners be equal in Value to One full Fifteenth Part or Share of such Residue, in lieu of and full Recompence and Satisfaction for all their Right and Interest in and to the Soil of the said Commons and Waste Lands, such Part and Parts so to be allotted as last aforesaid, to be as near to *Dilborne* as shall in the Judgement of the said Commissioners be consistent with the Rights and Convenience of other Persons interested in the said Inclosure.

Allotments  
to the Lords  
of the Manor.

XVIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required in the next Place to divide, set out, and allot all the Residue and Remainder of the said Commons and Waste Lands hereby intended to be divided and inclosed, unto, between, and amongst all and every the several Owners and Proprietors of Messuages, Lands, Tenements and Hereditaments, who are entitled to Rights of Common in and upon the said Commons and Waste Lands, in proportion to their several and respective Estates, Rights, and Interests therein.

Allotment of  
the Remain-  
der to the  
Persons  
having Right  
of Common.

XIX. Provided always, and be it further enacted, That in making the Divisions and Allotments hereinbefore mentioned, the said Commissioners shall not have any Regard to any Lands or Hereditaments which shall be shewn to their Satisfaction to have been Common or Waste Land within Sixty Years next before the first Day of *January* One thousand eight hundred and eight, it not being intended that the Owners or Occupiers thereof shall have any Allotment in respect of the same.

Lands that  
can be shewn  
to have been  
Common  
within Sixty  
Years not to  
have any  
Allotment.

XX. And be it further enacted, That the several Allotments to be made by virtue of this Act shall be well and sufficiently inclosed, walled, hedged, ditched, and fenced by and at the Expence of the respective Proprietors to whom such Fences shall be allotted or directed to belong, to the Satisfaction of the said Commissioners, and within such Time and in such Manner as by their said Award or any other Writing under their Hands the said Commissioners shall direct or appoint.

Fencing  
Allotments.

XXI. And be it further enacted, That the said Commissioners shall and may from Time to Time, as they shall find it convenient, deliver to the several Persons interested in, the several Divisions and Allotments to be set out under this Act, Possession of their respective Allotments hereby directed to be made and set out, and such Possession so delivered shall be kept and retained by the several Persons entitled thereto against

Commis-  
sioners to de-  
liver Posses-  
sion of the  
Allotments.

all Persons whomsoever, although the Award of the said Commissioners shall not then be made and executed: Provided always, that it shall be lawful for the said Commissioners, at any Time before executing their said Award, to make any Alterations in all or any of the Allotments and Fences which they may have set out and ordered, or private Roads laid or to be laid over, or to such Allotment or Allotments that they shall think right and expedient; and in case any Person or Persons be injured by any such Alterations on account of any Expences he, she, or they may have been at, the said Commissioners shall ascertain and determine what Recompence shall be made to him, her, or them, and shall direct by whom and in what Manner such Recompence shall be made, and which is hereby directed to be made accordingly.

Commis-  
sioners to set-  
tle Disputes.

XXII. And be it further enacted, That if any Question or Dispute shall arise between any Person or Persons interested in the said Commons and Waste Lands, touching the Extent, Identity, or Possession of any Plot, Parcel, or Portion thereof, or touching or concerning the respective Rights and Interests which they or any of them shall have or claim to have in, upon, or over the same Commons and Waste Lands, or touching or concerning any other Matter or Thing relating to the said Division, Allotment, and Inclosure, then it shall be lawful for the said Commissioners and Umpire respectively, to examine into, hear, and determine the same: Provided always, that nothing herein contained shall authorize the said Commissioners or Umpire to determine the Title to any Messuages, Cottages, Lands, or Hereditaments whatsoever.

Commis-  
sioners not to  
determine  
Rights con-  
trary to Pos-  
session.

XXIII. 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; 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 taken from such Person or Persons by Ejectment or other due Course of Law.

Power to  
assess Costs.

XXIV. And be it further enacted, That in case the said Commissioners and Umpire respectively shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, to be delivered to them in pursuance of this or the said recited Act, see Cause to award any Costs, it shall be lawful for the said Commissioners and Umpire, and they and he are and is hereby empowered, upon Application made to them and him for that Purpose, to settle, assess, and award such Costs and Charges as they and he shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination of the said Commissioners and Umpire shall be made, by the Person or Persons whose Claim or Claims, Objection or Objections, shall be thereby disallowed or over-ruled; and in case the Person or Persons who shall be liable to pay such Costs and Charges, shall neglect or refuse to pay the same on Demand, then and in every such Case it shall be lawful for the said Commissioners and Umpire respectively, and they and he are and is hereby respectively authorized and required, by Warrant under their Hands or his Hand directed to any Person whomsoever, to cause such Costs and Charges to be levied by

Distress

Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale.

XXV. Provided always, and be it further enacted, That in case any Person or Persons interested or claiming to be interested in the said Division or Allotment, shall be dissatisfied with the Determination of the said Commissioners or Umpire, touching or concerning their respective Rights or Interests in, over, or upon the said Commons and Waste Lands hereby directed to be divided, allotted, and inclosed, or any Part thereof, it shall be lawful for the Person or Persons so dissatisfied to proceed to a Trial at Law of the Matter so determined by the said Commissioners or Umpire, at the then next or at the following Assizes to be holden for the said County of *Stafford*; and for that Purpose the Person or Persons who shall be dissatisfied with the Determination of the said Commissioners or Umpire, shall cause an Action to be brought or commenced on a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Three Calendar Months next after such Determination of the said Commissioners or Umpire shall have been made known to such Person or Persons, and shall proceed to Trial therein as aforesaid; 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 or file Common Bail, and accept one or more Issue or Issues, whereby such Claim or Claims, and the Right or Rights thereby insisted on, may be tried and determined, such Issue or Issues to be settled by the proper Officer of the Court in which the said Action or Actions shall be commenced, in Case the Parties shall differ about the same; and if at the Trial of any such Issue or Issues it shall appear that the Party claiming is entitled to any qualified or less Right or Rights or Interests than was or were claimed by such Party, then it shall and may be lawful for the Jury by whom such Issue or Issues shall be tried, to find and declare the same by their Verdict, which shall be indorsed on the Postea in addition to the Verdict given on the Issue or Issues joined; but nevertheless the Costs of such Action or Actions shall abide and be determined by the Verdict given upon the Issue or Issues joined, as if no such Special Finding had been made; and the Verdict or Verdicts which shall be given in such Action or Actions, upon the Issue or Issues therein joined, in case there shall be no such Special Finding and Indorsement, or such Special Finding and Indorsement, if any such shall be made, shall be binding and conclusive upon and to all and every Person and Persons whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts, or Finding and Indorsement, and order a new Trial or Trials to be had thereupon, which it shall be lawful for the Court to do as is usual in other Cases, and after such Verdict or Verdicts, or Special Finding or Indorsement shall be obtained and not set aside by the Court, the said Commissioners shall and they are hereby required to act in conformity thereto, and to allow or disallow the Claim or Claims, Right or Rights, or Interest or Interests thereby determined, according to such Verdict or Verdicts, or Finding and Indorsement as aforesaid: Provided always,

Allowing the Parties to try their Rights by an Issue at Law.

that

Determina-  
tion of Com-  
missioners to  
be final if  
not objected  
to or an Ac-  
tion brought.

that the Determination of the said Commissioners touching such Rights or Interests in, over, or upon the said Commons and Waste Lands hereby directed to be divided, allotted, and inclosed, or any Part thereof, which shall not be objected to, or being objected to, the Party or Parties object- ing not causing such Action at Law to be brought and proceeded in as aforesaid, shall be final and conclusive to all Parties.

If any of the  
Parties die  
Proceedings  
not to abate.

XXVI. And be it further enacted; That if any of the Parties in any Action to be brought in pursuance of this Act shall die pending the same, such Action shall not abate by reason thereof, but shall be proceeded in as if no such Event had happened, and the Executors and Administrators of the deceased shall be liable to the Costs thereof, as if such Action had been tried and Judgement therein given in the Lifetime of their Testator or Intes- tate, but so nevertheless as not to affect any Payment made before such Judgement shall be signed, or to make any Executor or Administrator liable to be charged with a Devastavit by reason thereof.

Allowing  
Actions to be  
brought after  
Deaths of  
Parties.

XXVII. Provided also, That if any Person or Persons in whose Fa- vour any 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 hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Persons, Bodies Politic or Corporate, who might have brought such Ac- tion 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 Notice of such Action or Actions, in the same Manner as the Party or Parties might have been served therewith if living; and it shall therein be incumbent on 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 been actually living, and the Right of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

Not to preju-  
dice any Will,  
Settlement,  
&c.

XXVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend to, revoke, make void, alter or annul any Will, Settlement, or other Deed, or to preju- dice any Person or Persons having any Right or Claim of Dower, Joint- ure, Portion, Estates, Debts, Rents, or Incumbrances, out of, upon, or affecting any of the Lands and Hereditaments to be divided, allotted, and inclosed, or which shall be exchanged by virtue of this Act or the said recited Act, or any Part or Parts thereof respectively; but that the respective Persons to whom any Lands or Hereditaments shall be divided, allotted, or given in exchange by virtue of this Act or the said recited Act, shall be seised thereof to such and the same Uses, and for such and the same Estates, and under and subject to such and the same Settlements, Limitations, Remainders, Jointures, Rents, Charges, and Incumbrances, and under such and the same Restrictions, Covenants, and Agreements as the several Messuages, Lands, Tenements, or Hereditaments whereof  
such

such Persons respectively were seised or possessed at or immediately before the execution of the Award to be made by the said Commissioners, or for which, or in lieu or respect whereof such Division, Allotment, or Exchange shall be made as aforesaid, would have been subject to, charged with, or affected by, in case this Act had not been made.

XXIX. And be it further enacted, That the said Commissioners may and they are hereby directed and authorized (on Application made to them for that Purpose) to declare void every Lease or Leases, Agreement or Agreements at Rack Rent now subsisting, or which may affect any of the Lands to be inclosed, exchanged, or divided within the said Manor by virtue of this Act or the said recited Act, and the same shall accordingly cease at such Time or Times as the said Commissioners shall by Writing under their Hands order and appoint; and the said Commissioners are hereby empowered to adjudge and determine such Recompence and Satisfaction to be made to the Lessee or Lessees, Tenant or Tenants respectively, for the avoiding such Lease or Leases, Agreement or Agreements, as the said Commissioners shall deem adequate to the Benefit and Interest which the said Lessee or Lessees, Tenant or Tenants, had or derived under the said Lease or Leases, Agreement or Agreements, before the passing of this Act, or which such Lessee or Lessees, Tenant or Tenants, could or might have enjoyed had not this Act been made or passed, and also by whom and at what Time such Recompence and Satisfaction shall be made; and in Case such Recompence and Satisfaction shall not be made accordingly, then it shall be lawful to, and for such Lessee or Lessees, Tenant or Tenants, to sue for and recover the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case: Provided always, that if there be any such Lease of Lands, Part of which shall lie in the said Manor or Parish, and Part in any adjoining Manor or Parish, all and every such Lease or Leases upon Rack Rent may be vacated; but where any Lands shall have been taken in Exchange, which Lands shall be under such Lease or Agreement, and wholly situate in any adjoining Manor or Parish, such last-mentioned Lease or Agreement shall not be vacated.

For vacating  
Leases at  
Rack Rent.

XXX. Provided always, and be it further enacted, That if any Person or Persons, hath or have sold, or contracted or agreed to sell, or shall at any Time before the Execution of the Award of the said Commissioners sell, contract or agree to sell, his, her, or their Right, Interest, or Property in, over, or upon the said Commons and Waste Lands, or any Part thereof, to any other Person or Persons; then and in every such Case it shall be lawful for the said Commissioners, and they are hereby directed, authorized, and required to make an Allotment of Land to the Purchaser or Purchasers in such Sale, Contract or Agreement, or to his, her, or their Heirs or Assigns, for or in respect of such Right, Interest, or Property so sold, contracted, or agreed to be sold as aforesaid; and every such Purchaser or Purchasers, his, her, or their Heirs or Assigns, shall and may, from and after the Execution of the said Award, hold and enjoy the Land so to be allotted to him, her, or them as aforesaid, in the same Manner, to all Intents and Purposes, as the Vendor or Vendors in every such Sale, Contract or Agreement might, could, or ought to have held and enjoyed the same, in case such Sale, Contract or Agreement

In case any  
Person shall  
sell his Com-  
mon Right,  
the Allot-  
ment to be  
made to the  
Purchaser.

[*Loc. & Per.*]

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had

had not been made, or such Right, Interest, or Property had been vested in such Vendee at the Time of making such Allotment as aforesaid.

No Sheep or Lambs to be kept in new Inclosures for Seven Years.

XXXI. And be it further enacted, That it shall not be lawful for any Person or Persons, during the Term of Seven Years from the passing of this Act, to keep or depasture any Sheep or Lambs in or upon any of the new Inclosures or Allotments which shall be made in pursuance of this Act.

For extinguishing or suspending Rights of Common.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized at any Time or Times before the Execution of the said Award, by Notice in Writing under their Hands, to be affixed upon the principal outer Door of the Parish Church of *Cheadle* aforesaid, to order and direct all or any Part of the Rights of Common in, over, or upon the said Commons and Waste Grounds or any Part thereof to be extinguished, or the Exercise thereof to be suspended for and during such Time as shall be expressed in such Writing, and that all such Rights of Common as the said Commissioners shall by such Writing order and direct to be extinguished, or the Exercise thereof suspended as aforesaid, shall from the Time of affixing such Writing on the said Church Door, cease, determine, and be extinguished, or the Exercise thereof be suspended accordingly; any Law, Usage, or Custom to the contrary thereof notwithstanding.

Commissioners to divert Roads

XXXIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, in all Cases, where in their Judgement it shall appear to be requisite or proper, or for the more convenient Occupation of the Lands and Tenements within the said Manor and Parish, to divert and turn any old or accustomed Road or Way, or Path passing or leading through or over any Part of the old Inclosures within the said Manor, or to stop up or discontinue such Roads, Ways, and Passages, as to the said Commissioners shall seem meet and proper: Provided always, that no such Road, Way, or Path shall be diverted, turned, stopped up, or discontinued without such Concurrence and Order, and subject to such Appeal as is mentioned or referred to in and by the said recited Act.

Power to exchange Lands.

XXXIV. And be it further enacted, That it shall be lawful for the Trustees or Trustee, Feoffees or Feoffee, and also for any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, who are or shall be Proprietors or Owners of Messuages, Buildings, Lands, Grounds or other Hereditaments lying within the said Manor or Parish of *Cheadle*, or in any Manor or Parish adjoining thereto, and also to and for the Husbands, Guardians, Committees and Trustees of any of the said Owners and Proprietors being under Coverture, Minors, Idiots, Lunatics, or beyond the Seas, or otherwise incapable of acting for themselves, and also to and for all Persons acting as Guardians, Trustees or Committees of any such Owners or Proprietors being under any Disability whatsoever, whether such Owners or Proprietors be Tenants in Fee Simple, Tenants for Life with or without Impeachment of Waste, Tenants in Fee Tail General or Special, Tenants by the Courtesy of *England*, Tenants for  
Years

Years determinable on any Life or Lives, or otherwise, from Time to Time to exchange all or any of his, her or their Messuages, Buildings, old Inclosures, Lands, Tenements, Allotments, Rights, Interests, Heriots, Chief Rents, or other Hereditaments within the said Manor or Parish of *Cheadle*, for any other Hereditaments within the same Manor or Parish, or within any adjoining Manor or Parish, so that all and every such Exchange or Exchanges be made by and with the Consent and Approbation of the said Commissioners, and shall be ascertained, specified, and declared in their said Award, and all and every such Exchange or Exchanges shall be good and valid in the Law to all Intents and Purposes whatsoever: Provided always, that no Exchange shall be made by virtue of this Act of any Lands, Tenements, or Hereditaments holden in right of any Church or Chapel, without the Consent of the Patron thereof, and of the Bishop of the Diocese for the Time being respectively.

XXXV. Provided always, and be it further enacted, That the Costs, Charges, and Expences attending the making of any Exchange or Exchanges, Partition or Partitions, Sale or Sales, to be made by virtue of this or the said recited Act, shall be borne, paid and defrayed by the several Persons making such Exchanges, Partitions or Purchases (save and except the Sales hereby directed for raising Money for defraying the Expences of this and the said recited Act, and for carrying the same into Execution), in such Shares and Proportions as the said Commissioners shall in and by their said Award order and direct: Provided always, that the said Proprietors, their Attornies and Agents, shall pay their own Expences, when they or any of them shall attend the said Commissioners at any Meeting to be holden in pursuance of this Act.

Expences of Exchanges and Partitions shall be borne by the Persons making them.

Proprietors and Agents to pay their own Expences.

XXXVI. And be it further enacted, That in case any Person or Persons shall advance any Sum or Sums of Money for the Purpose of defraying the Expences of obtaining and passing this Act, and of carrying the same into execution, every such Person shall be repaid the same, together with lawful Interest from the Time of advancing thereof, out of the first Monies that shall be raised for defraying such Expences under and by virtue of this Act, which Sum or Sums of Money so to be advanced as aforesaid, and the Interest thereof, shall be a Charge upon the said Commons and Waste Lands hereby intended to be divided and inclosed until the same shall be raised and repaid.

For allowing Interest on Money advanced.

XXXVII. Provided always, and be it further enacted, That nothing in this Act shall be construed to defeat, lessen, or prejudice the Right, Title, or Interest of the said *Charles Abbott* and *Matthew Dobson*, as Lords of the said Manor of *Cheadle* for the Time being, or any future Lord or Lords of the said Manor to the Mines, Beds, Veins and Seams of Coal, Canal, Slack, and Ironstone, or other Mines and Minerals in or under the said Commons or Waste Lands hereby intended to be inclosed (save and except Stone, Gravel, Clay, and Sand), or to any Seigniories or Royalties incident or belonging to the said Manor, the same being hereby reserved to them the said *Charles Abbott* and *Matthew Dobson*, and the future Lord or Lords of the said Manor, with full and free Liberty, Power, and Authority for them from Time

Mines reserved to the Lords of the Manor.

to Time and at all Times hereafter, to have, hold, win, work, and enjoy all Mines, Beds, Veins and Seams of Coal, Canal, Slack, and Iron-stone, and other Mines and Minerals of what Nature or kind soever (save and except as aforesaid) within and under the said Commons and Waste Lands hereby intended to be inclosed, together with all convenient and necessary Roads, Ways, and Passages, and liberty of laying, making, and repairing all necessary Roads or Ways in, over, and along the same, or any of them, or any Part thereof, and of searching for, winning, and working the said Mines and Minerals, and stacking, leading, and carrying away the Coal, Canal, Slack, Ironstone, or other Produce thereof, and sinking, digging, and making Pits, Shafts, Pit Rooms, Heap Rooms, Stand Yards, Air Pits, Drifts, Levels, Ways, and Watercourses, and of erecting and using Fire Engines or other Engines, Hovels, Weighing Machines, Weighing Houses, Stables, and other necessary and convenient Buildings, and of altering, changing, pulling down, and carrying away the same, or any of the Materials thereof, and to have and use any Stone got in the sinking Pits or Shafts, or working or getting the said Minerals so reserved as aforesaid, at their own free Will and Pleasure, and to do, employ, use, and exercise all such other Machines, Acts, and Things, either now in Use or hereafter to be invented, as may be necessary and convenient for the full and complete Enjoyment thereof, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as they could or might have done had this Act not been made, they the said *Charles Abbott* and *Matthew Dobson*, or any future Lord or Lords of the said Manor, from Time to Time paying, making, and allowing to the several Owners or Occupiers of such Allotments respectively, a reasonable and adequate Recompence and Satisfaction for all such Damages as shall from Time to Time be thereby done to such Allotments, or to any Erections or Buildings that may at the Time of working or getting the said Mines and Minerals, or exercising the Privileges aforesaid, be erected or built thereupon.

Allotments  
to be exempt  
from Tythes  
for Five  
Years.

XXXVIII. And be it further enacted, That all and singular the Waste Lands hereby directed to be divided and inclosed shall be freed and exempted from the Payment of Tythes for the Space of Five Years to be computed from the passing of this Act.

Payments to  
Rector in lieu  
of Tythes of  
Lamb and  
Wool for  
Five Years.

XXXIX. And be it further enacted, That the Occupiers for the Time being of the Allotments to be made in pursuance of this Act shall, from the Time the Right of Common shall be suspended or extinguished by the Commissioners, to the Expiration of the said Term of Five Years lastly above-mentioned, pay unto the Rector of the said Parish of *Cheadle* for the Time being, such annual Sum or Sums of Money as the said Commissioners shall adjudge reasonable, as a Compensation for the Tythe of Lamb and Wool which would have arisen to the Rector of the said Parish for the Time being, in case this Act had not been passed.

Commis-  
sioners to lay  
their Ac-  
counts before  
Two Justices  
once every  
Year.

XL. And be it further enacted, That once at least in each and every Year during the Execution of this Act (the first Year to be computed from the Day of passing thereof), the said Commissioners shall and they are hereby required to make a true and just Statement or Account of all Sums of Money by them received and expended, or due to them for their

own



own Trouble and Expences in and about the Execution of this Act; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by them laid before any one or more of His Majesty's Justices of the Peace acting in and for the said County of *Stafford*, and not interested in the Premises, to be by them examined and balanced, and such Balance shall be by such Justice or Justices stated in the Book of Accounts to be kept in the Office of the Clerk to the said Commissioners; and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid in the Law, unless the same shall have been duly allowed by such Justice or Justices.

XLI. And be it further enacted, That the Award to be made by the said Commissioners, when enrolled in Manner directed by the said recited Act, shall be deposited and kept within the Parish Church of *Cheadle* aforesaid, to the end that Recourse may be had thereto by any Person or Persons interested in the said Inclosure. Award to be deposited.

XLII. And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act or the said recited Act, then and in such case, (except as to such Claims, Matters, and Things, as are hereinbefore directed or authorized to be tried, settled, or determined by the Verdict of a Jury, or where any of the Clauses or Provisions of the said recited Act or of this Act shall express that the same shall be final), he, she, or they may appeal to any General Quarter Sessions of the Peace which shall be held for the said County of *Stafford*, within Six Calendar Months next after the Cause of Complaint shall have arisen, giving Ten Days Notice of such Appeal to the said Commissioners; and the Justices at the said General Quarter Sessions are hereby required to hear and determine the Matter of every such Appeal, and make such Orders therein, and award such Costs as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Surplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale; and which Determination of the said Justices shall be final and conclusive upon all Parties concerned, and shall not be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*. Appeal to the Quarter Sessions.

XLIII. 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, and their Heirs, Successors, Executors, and Administrators, all such Estate, Right, Title, and Interest, (other than such as are meant and intended to be compensated for, barred or destroyed by this Act), of, in, to or in respect of the Commons and Waste Lands and Hereditaments to be divided, allotted, inclosed, or exchanged by virtue of this or the said recited Act, as he, she, or they might or could have enjoyed in case this Act had not been made. General Saving.

[*Loc. & Per.*]

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XLIV. And

Act may be  
given in  
Evidence.

XLIV. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty; and a Copy thereof so printed shall be admitted as Evidence by all Judges, Justices, and others.

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1809.