



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. 1.

An Act for extinguishing Tithes, and customary Payments in lieu of Tithes, within the Parish of *Llanelly* in the County of *Carmarthen*, and for making Compensation in lieu thereof.

[23d August 1831.]

WHEREAS the Parish Church of *Llanelly* in the County of *Carmarthen* is an Improprate Rectory: And whereas *Rees Goring Thomas* Esquire is now the Impropriator of the said Rectory, and claims to be seised thereof or entitled thereto for an Estate in Fee Simple in Possession: And whereas the Vicar or Perpetual Curate of the said Parish is not entitled to any Tithes or customary Payments in lieu of Tithes: And whereas for some Time past Differences have existed between the said Impropriator of the Parish Church and divers Owners or Occupiers of Lands in the said Parish, on the Subject of certain Moduses or alleged Compositions for Tithes which have been set up by such Owners or Occupiers, and disputed by the said Impropriator; and such Differences have led to Litigation, and occasioned great Expence, Inconvenience, and Vexation to all the Parties concerned therein: And whereas, if a certain annual Sum were made payable to the said Impropriator of the Parish Church, his Heirs and Assigns, in lieu of Tithes and customary Payments in lieu of Tithes within the said Parish, under the Regulations herein-after mentioned, it would be the Means of putting an

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An annual Sum to be paid in lieu of Tithes, such annual Sum to be 2,100*l.* in the first instance.

end to such Litigation and Disputes, and would in other respects be beneficial to the said Impropiator, his Heirs and Assigns, and also to the Owners and Occupiers of the Lands within the said Parish : 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 Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and thirty-one a clear annual Sum shall be paid for and in lieu and Satisfaction of all Tithes and Payments in lieu of Tithes to which the said Impropiator of the Parish Church, his Heirs or Assigns, are or otherwise might by Law be entitled within the said Parish, and such annual Sum shall be Two thousand one hundred Pounds of lawful Money of *Great Britain*, being equal to the average Price in *England* and *Wales* during the Years one thousand eight hundred and twenty-nine and One thousand eight hundred and thirty of Six hundred and forty-four and a Half Quarters of good marketable Wheat according to the Returns published in the *London Gazette*, until the Amount of such annual Sum shall be varied, as hereinafter is mentioned.

Appointment of a Commissioner for the Purposes of this Act.

II. And be it further enacted, That it shall be lawful for the said Owners, at a Meeting assembled within the said Parish, of which Meeting Twenty-one Days Notice shall be given by Advertisement under the Hands of any Three or more Proprietors of Lands, assessed at One hundred Pounds at least in the whole to the Rate for the Relief of the Poor, in some One and the same Newspaper published or circulated in the said County of *Carmarthen*, and by affixing the same for Two successive *Sundays* on the Church Door of the said Parish, to elect and appoint, by a Majority in Value of the Owners then present (such Value to be ascertained by the last Assessment for the Relief of the Poor), some Person to act as a Commissioner for assessing and apportioning the Sums to be paid in respect of each and every of the Lands and Tenements in the said Parish, and for otherwise carrying the Provisions of this Act into effect ; and in case any Commissioner so appointed or to be appointed as herein-after mentioned shall die, neglect, refuse, or become incapable to act, before the Powers hereby vested in him shall be fully executed, it shall be lawful for the said Owners, upon such Notice and in manner aforesaid, to elect and appoint another Person as a Commissioner, instead of the Commissioner who shall so die, neglect, refuse, or become incapable to act as aforesaid : Provided always, that if no Appointment of a Commissioner shall be made within Three Calendar Months after a Notice, under the Hand of the said Impropiator for the Time being, shall have been affixed on the Church Door of the said Parish for Two successive *Sundays*, requiring the said Owners to elect and appoint a Commissioner as aforesaid, then it shall be lawful for the said Impropiator for the Time being to appoint, by some Writing under his Hand (to be deposited with the Clerk of the Peace of the said County), a Commissioner for the Purposes of this Act, and such Commissioner is hereby invested with all such and the like Powers and Authorities for carrying this Act into execution, as if he had been nominated and appointed by the said Owners : Provided also, that any Commissioner shall be deemed to have neglected or refused to act, in case he shall not have proceeded in the Execution of this Act for

for Three successive Calendar Months, or in case the Award hereby directed to be made shall not have been inrolled in the Manner and within the Time herein prescribed for that Purpose.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers or Authorities given by this Act who shall reside in the County of *Carmarthen*, or who shall be directly or indirectly, whether as Principal or Agent, interested in or connected with any Property situated in the said Parish of *Llanelly*, nor until he shall have taken and subscribed the Oath or Affirmation following; (that is to say,) Commis-
sioner to
take Oath.

‘ I do swear, [*or being One of the People called Quakers* do solemnly affirm,] That I will faithfully, impartially, and honestly, according to the best of my Skill and Ability, execute and perform the several Trusts, Powers, and Authorities vested and reposed in me as a Commissioner by virtue of an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled *An Act* [*here insert the Title of this Act*]; according to the Directions of the said Act, and according to Equity and good Conscience, without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever.
‘ So help me GOD.’

Which Oath or Affirmation shall be sworn or made before One or more Justices of the Peace for the said County of *Carmarthen* sitting at the General or Petty Sessions for the said County; and the said Oath or Affirmation, so to be taken and subscribed by such Commissioner as aforesaid, shall be annexed to and enrolled and deposited with the Award of the said Commissioner, in manner herein-after mentioned.

IV. And be it further enacted, That for the Purpose of making an Apportionment of the said annual Sum of Two thousand one hundred Pounds the said Commissioner shall and he is hereby required, as soon as conveniently may be after his Appointment in manner aforesaid, to ascertain or estimate the yearly Value of the Tithes now payable to the said Impropiator of the Parish Church of *Llanelly* out of each and every of the Lands and Tenements in the said Parish, according or with reference to the present State and Condition of the said Lands and Tenements, and also the yearly Value of all Moduses, Compositions, and other Payments in lieu of Tithes payable for or in respect of any of the said Lands or Tenements respectively; and it is hereby declared that the Amount of the several Moduses which have usually been paid in the said Parish of *Llanelly* in lieu of Tithes of Cows, Milk, Colts, Heifers, and Calves, shall be considered by the said Commissioner, in ascertaining or estimating such yearly Value as aforesaid, to be the yearly Value of the Tithes payable in respect of such Articles throughout the said Parish; and that the Amount of the several Moduses which have usually been paid in lieu of the Tithes of Hay in the Hamlets of *Hengoed* and *Glyn*, and a Part of *Westfa*, consisting of the Lands and Tenements following, (that is to say,) Part of *Tybyturn*, Part of *Blaennant*, *Syddyn*, *Bailyglás*, *Danylan*, *Lan*, *Cribin Walter*, *Carnhowell* and *Slafellwen*, *Twllach*, *Lletty’rdrew* and *Cwmbach*, *Graiglwyd*, Part of *Clyngwernenucha*, *Medelfiw*, *Cwarre*, *Clochirie*, *Tirbach*, *Tygwyn*, *Porthafel*, *Llwyn Onn*, *Blaenydden*, *Cwmllethryd ucha*, *Cwmllethryd fawr*, Part of *Gellydrenog*, Commis-
sioner shall
ascertain the
present Value
of the
Tithes, &c.

Moduses
now paid to
be deemed
good Mo-
duses for the
Purpose of
Apportion-
ment.

Commis-
sioner shall
apportion
the 2,100%.
among the
Occupiers
of Lands in
the Parish.

*drenog, Panty-pysgodlyn, Coedciw bella, Blaenyddaugwm, Caérllwyn, Ystradfai-
Caérodyn, Mynydd bach, Caebach* behind the Mill, and Part of *Danygraig*,
shall be considered by the said Commissioner and his Successors, in ascer-
taining such yearly Value as aforesaid, to be the yearly Value of the Tithes
payable on Hay in the said Hamlets of *Hengoed* and *Glyn* and such Parts
of *Westfa* as are herein-before specified ; and all other Moduses, Compo-
sitions, and other Payments in lieu of Tithes (if any) which have usually
been paid in the said Parish shall be considered by the said Commissioner,
in ascertaining and estimating such yearly Value as aforesaid, to be the
yearly Value of the Tithes in lieu of which the same respectively shall
have been paid ; and as soon as the yearly Value of the Tithes in the said
Parish shall have been ascertained as aforesaid, the said Commissioner
shall and he is hereby required, within the Space of Twelve Calendar
Months from the passing of this Act, fairly to apportion the said Sum
of Two thousand one hundred Pounds upon or among the Lands and
Tenements in the said Parish of *Llanelly* with reference to the Value
of the said Tithes payable in respect of the same Lands and Tene-
ments respectively, and estimated as aforesaid : Provided always, that
nothing in this Act contained shall be construed as an Admission
by the said Impropiator of the Validity of such alleged Moduses or
Compositions.

Commis-
sioner may
enter Lands,
&c. and
call for Evi-
dence upon
Oath if he
thinks pro-
per.

V. And be it further enacted, That for the better enabling the said
Commissioner for the Time being to ascertain the Value of such Tithes,
Moduses, and Compositions, and to make such Apportionment as aforesaid,
the said Commissioner is hereby empowered to enter into and upon the
several Lands and Tenements in the said Parish, at all seasonable Times,
for the Purpose of examining the same and the State and Condition thereof
respectively, and also to call for the Names of the Tenants or Occupiers
of such Lands and Tenements respectively, and Evidence of the Moduses
now or heretofore payable in respect thereof ; which Evidence the several
Tenants or Occupiers are hereby directed to produce and give to the said
Commissioner, for the Purposes aforesaid, upon Oath or Affirmation, if he
shall so require ; and such Commissioner is hereby authorized and em-
powered to administer such Oath or Affirmation.

Copy of As-
sessment to
be deposited
with the
Parish Clerk
for Inspec-
tion.

Commis-
sioner to
appoint cer-
tain Days
for hearing
Objections
thereto.

VI. And be it further enacted, That within the Space of One Calendar
Month next after the said Assessment or Apportionment shall be com-
pleted the said Commissioner for the Time being shall cause a correct
Copy thereof, with such Observations or Explanations as he may think
proper, to be deposited with the Parish Clerk of *Llanelly* aforesaid,
for the Inspection of all Persons interested in such Assessment or Appor-
tionment, and shall appoint Three several Days, which shall be specified
on the Back of such Copy, for attending at some Place to be therein
also specified, situate within Two Miles from the Parish Church of
Llanelly, to hear any Objections to such Assessment or Apportionment ; and
on the said Days so to be named (between each of which there shall be an
Interval of not less than Seven Days nor more than Fourteen Days, and the
first of which shall not be earlier than Twenty-one Days after such De-
posit,) the said Commissioner shall attend at the Place appointed, from
the Hour of Twelve at Noon to the Hour of Three in the After-
noon, for the Purpose of hearing and deciding upon such Objections ;
and in order that all Persons interested in such Assessment or Appor-
tionment

tionment may have due Notice of such Deposit, and of the Days to be appointed as aforesaid, the said Commissioner shall cause a Notice, specifying the Day on which such Deposit is intended to be made, and the Times and Place to be appointed for his Attendance to hear Objections thereto, to be inserted in some Newspaper published within the said County of *Carmarthen*, or if there shall be no such Newspaper, then in some Newspaper published in an adjoining or neighbouring County, and also to be affixed on the outer Door of the Parish Church of *Llanelly* aforesaid, at least Seven Days before such Deposit.

VII. And be it further enacted, That within Two Calendar Months after the last of the said Days so to be appointed as aforesaid the said Commissioner for the Time being shall draw up or cause to be drawn up, an Award or Instrument in Writing which shall describe and specify the several Lands and Tenements in the said Parish, and the Names of the respective Occupiers of the same respectively, and the Sum or Sums of Money which shall be apportioned or assessed upon each and every of the said Lands and Tenements respectively as aforesaid, in such Manner and Form and with such Explanations as the said Commissioner for the Time being shall think proper ; which Award or Instrument, and a Duplicate thereof, shall be fairly engrossed or written upon Parchment, and respectively signed and sealed by the said Commissioner, who shall, within the Space of Seven Days after such signing and sealing, cause such Award or Instrument, together with the Commissioner's Oath herein-before mentioned, to be delivered to the Clerk of the Peace for the said County, by whom the same shall be inrolled, to the end that Recourse may be had to the same by any Person or Persons interested in the said Apportionment ; and the said Award, with the said Oath, or a true Copy of the Inrolment thereof or of any Part thereof respectively, certified by the proper Officer, shall from Time to Time be admitted in all Courts whatsoever as legal Evidence ; and the Clerk of the Peace for the Time being is hereby directed to make and deliver, or cause to be made and delivered, true and correct Copies or Extracts from the said Inrolment, to any Person or Persons desiring the same, he, she, or they paying for the same after the rate of Sixpence *per* Sheet, reckoning One hundred Words to each Sheet ; and any Person or Persons shall be at liberty to inspect and peruse the said Inrolment, paying for every such Inspection or Perusal One Shilling and no more ; and the said original Award or Instrument, with the said Oath, after the same shall have been inrolled as aforesaid, shall be deposited in a Chest within the said Church of *Llanelly*, amongst the Records of the said Parish, for the Inspection and Perusal of the several Owners and Occupiers of Lands and Hereditaments in the said Parish ; and the Duplicate of such Award or Instrument shall be delivered to the said Impropiator for the Time being, or be left for him at his last or most usual Place of Abode in *England* or *Wales*.

Award to be made, and inrolled with the Clerk of the Peace.

Certified Copy of Inrolment to be Evidence.

Power to inspect Inrolment.

Duplicate of Award to be delivered to Impropiator.

VIII. Provided always, and be it further enacted, That nothing herein contained shall be held to invalidate or render ineffectual the said Apportionment or Award or Inrolment hereby directed to be made, though the same or either of them shall not happen to be completed within the Periods specified for making the same respectively ; and it is hereby declared that such Award need not specify the several Lands or

Award not invalidated, although not made within the Time prescribed.

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Tenements

Tenements comprised in the said Apportionment or Assessment by Fields or Inclosures, but shall specify the Farms or separate Holdings into which the same shall happen to be divided at the Time of the making of the said Award, and the estimated Number of Acres of which each such Farm or separate Holding shall consist, or as near thereto as Circumstances will permit.

Churchwardens may contract with Commissioner for the Whole or any Part of his Work.

If Churchwardens do not agree within a given Period, Justices may fix the Sum to be paid.

IX. And be it further enacted, That it shall be lawful for the Churchwardens and Overseers of the Poor of the said Parish of *Llanelly*, with the Consent of the Parishioners assembled at a Vestry to be convened for that Purpose, or with the Consent of the Majority of such Parishioners, to contract with the said Commissioner for the Time being for the Satisfaction or Remuneration to be paid to him for making the said Apportionment, and drawing, executing, and inrolling the said Award, and the Expences incident thereto, or for any Part thereof, if they shall in their Discretion think fit so to do; and in case the said Churchwardens and Overseers shall not agree with the said Commissioner as to the Amount of such Satisfaction, Remuneration, and Expences, and shall not enter into a Contract with such Commissioner for his Services and such Expences as aforesaid within Three Calendar Months after his Appointment in manner aforesaid, or within the same Period after any Commissioner or other Person shall be appointed by virtue of this Act, in consequence of the Application of any Owners or Occupiers, as herein-after is provided, for the Purpose of making, receiving, or declaring any Apportionment or Assessment, or reviewing the annual Compensation to be paid to the said Impropiator, then and in every or any such Case it shall be lawful for the Justices present at any Quarter Sessions of the Peace for the said County of *Carmarthen*, or at any Adjournment thereof, or the major Part of such Justices, upon the Application of any One or more of the Owners or Occupiers of Lands or Tenements in the said Parish who shall be interested in the said Apportionment, to determine upon and order the Amount to be paid to such Commissioner for such Satisfaction, Remuneration, and Expences as aforesaid.

Expences of Award how to be paid.

X. And be it further enacted, That the Costs, Charges, and Expences, or Satisfaction, to be paid to the said Commissioner for making such Apportionment, and drawing, executing, and inrolling the said Award or Instrument, and all other Expences incident thereto, shall be paid in manner following; (that is to say,) if the same shall not exceed in Amount the Sum of Three hundred Pounds of lawful Money of *Great Britain*, one equal Moiety thereof shall be paid by the said Impropiator for the Time being, and the other equal Moiety thereof by the Occupiers of the Lands or Tenements in the said Parish, rateably in the Proportions in which they shall respectively be assessed towards the said Annual Sum of Two thousand one hundred Pounds in respect of the Lands or Tenements in their respective Occupations; and if the same shall exceed in Amount the Sum of Three hundred Pounds as aforesaid, then the Sum of One hundred and fifty Pounds of like lawful Money, Part thereof, shall be paid by the said Impropiator, and the Residue thereof by the said Occupiers, in such Proportions as aforesaid; and in case the said Impropiator for the Time being shall neglect or refuse to pay the said Moiety, or the said Sum of

One hundred and fifty Pounds, as the Case may be, on Demand, the same may be recovered by the said Commissioner in an Action of Debt in any of His Majesty's Courts at *Westminster*, with full Costs of Suit; and in case any Occupier or Occupiers, his, her, or their Executors or Administrators, shall, on Demand, neglect or refuse to pay his, her, or their Proportion of such Recompence, Satisfaction, Costs, Charges, and Expences as aforesaid, the said Commissioner for the Time being shall and may have and exercise such and the same Powers and Remedies for recovering the same, together with the Costs, Charges, and Expences of the Recovery thereof, against the Occupiers so respectively neglecting or refusing, as by Common Law or Statute are provided and given to Landlords for the Recovery of Rack Rent when in arrear: Provided always, that in case the Tenancy or Tenancies of any such Occupier or Occupiers shall expire or determine, and he, she, or they shall cease to occupy the Lands or other Hereditaments in respect of which they are hereby made liable to bear a Share of the Expences of such Assessment or Apportionment as aforesaid, before the next Period for revising the said Assessment or Apportionment shall arrive, then and in every such Case it shall be lawful for him, her, or them to demand and receive, from the Person or Persons who shall succeed to the Occupation of such Lands or other Hereditaments, such a Proportion of the Costs, Charges, and Expences paid by or levied upon the outgoing Occupier or Occupiers as the Number of Years then unexpired of the said Period for which such Assessment or Apportionment shall have been made shall bear to the whole of such Period; and such outgoing Occupier or Occupiers shall have the same or the like Remedies for the Recovery thereof against the incoming Occupier or Occupiers as are by this Act given to the Commissioner for the Recovery of the Share of the Occupier or Occupiers for the Time being.

XI. And be it further enacted, That the yearly Sum and Sums of Money apportioned or assessed upon or in respect of each and every of the said Lands and Tenements respectively, as aforesaid, shall be paid and payable by the Person or Persons who for the Time being shall be in the Occupation of the same Lands and Tenements respectively, to the said Impropiator for the Time being, or such Person or Persons as he or they shall appoint to receive the same, by Two equal half-yearly Payments; (that is to say,) on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, and the first Payment thereof shall be made on the Twenty-fifth Day of *March* One thousand eight hundred and thirty-two.

Sums assessed to be paid by the Occupiers half-yearly.

XII. Provided always, and be it further enacted, That in case the Award or Assessment herein-before directed to be made for apportioning the said Sum of Two thousand one hundred Pounds among the said several Lands and Tenements shall not be inrolled, and a Duplicate thereof delivered to the said Impropiator for the Time being, or left at his last or most usual Place of Abode in *England* or *Wales*, on or before the said Twenty-fifth Day of *March* One thousand eight hundred and thirty-two, then and in such Case it shall be lawful for the said Impropiator to demand and receive, from the several Occupiers of the said Lands and Tenements, on the said Twenty-fifth Day of *March* One thousand eight hundred and thirty-two,

If Award not inrolled before the 25th March 1832, Impropiator may levy the Composition according to last Poor Rate Assessment.

thirty-two, and on every subsequent Twenty-ninth Day of *September* and Twenty-fifth Day of *March*, until such Award shall be completed, and such Duplicate thereof delivered or left in manner aforesaid, the Sum of Two thousand one hundred Pounds, rateably according to the Proportions in which such Occupiers shall respectively be assessed to the Poor Rate at the Time of such half-yearly Payment of the said Composition Money becoming due; and he shall have such and the like Powers and Remedies for the Recovery thereof respectively as if the Sums demanded by him of such Occupiers had been made payable by virtue of an Award made by the said Commissioner in conformity with the Provisions of this Act; and all and every the Sum and Sums of Money which any Person or Persons shall so pay, or which shall be so levied or recovered from him, her, or them, shall be deemed and taken as Payment on account of the Assessment or Apportionment to be thereafter made by the said Commissioner pursuant to the Powers of this Act.

Powers for
Recovery of
Composition.

XIII. And be it further enacted, That when and as often as the said apportioned Parts of the said annual Sum, or any of them, or any Part thereof respectively, shall be in arrear and unpaid, being first lawfully demanded, the said Impropiator for the Time being shall and may have and exercise such and the same Powers and Remedies for recovering the same respectively against the Person or Persons liable to pay the same respectively, together with the Costs, Charges, and Expences of the Recovery thereof, as by Common Law or Statute are provided and given to Landlords for the Recovery of Rackrent when in arrear; except that in taking any Distress or issuing any Execution upon the Premises of any Defaulter, by virtue of this Act, the said Impropiator shall leave sufficient Property to meet any Arrears of Rent not exceeding One Year's Arrear due to the Landlord of such Defaulter.

Power to
Impropria-
tor to follow
the Goods
of any Oc-
cupier
whose Com-
position
shall be in
arrear.

XIV. And inasmuch as the said several Sums of Money are hereby charged upon the Occupiers of Lands and Tenements only, and not upon such Lands or Tenements, except so far and so long as the same shall be in the Occupation of the Person or Persons liable to the Payment of the Sums assessed in respect thereof; be it further enacted, That in case any such Person or Persons shall quit such Lands or Tenements without first paying the Sum or Sums for the Time being due to the said Impropiator, it shall be lawful for the said Impropiator to apply to any Justice of the Peace of the said County for a Warrant of Distress of the Goods and Chattels of such Person or Persons where-soever such Goods and Chattels may be, which Warrant such Justice is hereby empowered and required to grant forthwith, and by virtue thereof the said Impropiator shall have Authority to levy and raise the Sum or Sums of Money so due to him, and also the Costs of Distress and Sale, in the same Manner to all Intents and Purposes as in other Cases of Distress and Sale of Goods and Chattels.

Tithes to
cease on
the 29th
September
1831.

XV. And be it further enacted, That after the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-one all Tithes and Payments in lieu of Tithes heretofore payable, or which would have been payable within the said Parish of *Llanelly* if this Act had not passed, shall
cease

cease and be for ever extinguished ; and all Tithes, and Sums of Money in lieu of Tithes, which shall accrue due before the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-one, shall be calculated as if the disputed Moduses were valid and good Moduses : Provided always, that nothing in this Act contained shall extend to deprive the said *Rees Goring Thomas*, his Heirs or Assigns, of any Remedies to which he or they is or otherwise would have been entitled for the Recovery of any Tithes, or Payments in lieu of Tithes, (so calculated as aforesaid,) now due or payable, or which shall become due or payable, on or before the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-one : Provided also, that the said *Rees Goring Thomas*, his Heirs or Assigns, shall not claim any Tithes, or Sums of Money in lieu of Tithes, payable in respect of Potatoes, or other Articles in respect of which no such Tithes or Moduses have usually been paid, except from such Periods and against such Persons as the said *Rees Goring Thomas* has claimed the same before the passing of this Act.

XVI. And whereas it is expedient that the annual Sum to be paid to the said Impropiator for the Time being of the Parish Church of *Llanelly*, as aforesaid, should be subject to Revision or Alteration from Time to Time according to the Variation which may take place in the average Price of Wheat ; be it therefore enacted, That on the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six, or within One Calendar Month thereafter, and so from Time to Time at the End of every subsequent Period of Five Years, to be computed from that Day or within One Calendar Month thereafter, it shall be lawful, as well for the said Impropiator for the Time being of the said Parish Church of *Llanelly*, as for any One or more of the Owners or Occupiers of Lands or Tenements in the said Parish of the yearly Value in the whole of One thousand five hundred Pounds or upwards, by Writing under their respective Hand or Hands, to make Application to the Chairman of the Quarter Sessions of the County of *Carmarthen*, (Notice in Writing of such intended Application, specifying to whom the same is intended to be made, having been affixed on the principal outer Door of the Parish Church of *Llanelly* aforesaid Three successive *Sundays* immediately before Divine Service, and a Copy of such Notice having been inserted in some Newspaper published in the said County of *Carmarthen*, or if there shall be no such Newspaper, then in some Newspaper published in some adjoining or neighbouring County Fourteen Days at least before the Day on which such Application shall be intended to be made,) for such Chairman to nominate, by Writing under his Hand, such Person as he shall think fit to enquire into and ascertain by means of the *London Gazette*, (so long as the Returns of the average Price of Grain shall be published therein, and in case of no such Publication, then by such Ways and Means as the said Chairman shall direct, or as the Party to be appointed shall think equitable and proper,) the Value of Six hundred and forty-four and a Half Quarters of good marketable Wheat, according to the average Price thereof in *England* and *Wales* during the Period of Five Years ending on the Twenty-ninth Day of *September* immediately preceding such Application ; and the Person so to be nominated as afore-

The annual Sum may be altered according to the Price of Wheat every Five Years, if deemed necessary by the Report of a Person to be appointed to investigate the same.

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said

said shall, within One Calendar Month after his Nomination, by Writing under his Hand, report and certify the Value of Six hundred and forty-four and a Half Quarters of Wheat, according to such average Price, and forthwith deliver the same to the Clerk of the Peace for the said County of *Carmarthen*, and also deliver a Duplicate thereof to the said Impropiator for the Time being, or leave the same for him at his last or most usual Place of Abode in *England* or *Wales*; and in case it shall by such Report appear that the average Value of Six hundred and forty-four and a Half Quarters of Wheat during the Period last aforesaid amounted to more or less by One Tenth than the said Sum of Two thousand one hundred Pounds, or other the annual Sum for the Time being payable to the said Impropiator by virtue of the Provisions herein contained, then the Amount of such average Value so ascertained and reported shall be the annual Sum to be payable to the said Impropiator for the Time being for the then current Period of Five Years; and the apportioned Sums of Money payable by the several Occupiers in respect of each and every of the Lands or Tenements in the said Parish respectively shall be thereupon increased or diminished in the same Proportion as the said average Value of Six hundred and forty-four and a Half Quarters of Wheat, to be reported as aforesaid, shall be greater or less than the Sum of Two thousand one hundred Pounds, or other the annual Sum payable to the said Impropiator at the Time of such last-mentioned Application, by virtue of this Act; and the said apportioned Sums so increased or diminished shall, from the half-yearly Day of Payment next preceding such Application, remain and continue payable as aforesaid, and be recoverable by the same Means as are herein-before provided with respect to the apportioned Parts of the said annual Sum of Two thousand one hundred Pounds, until the same shall be again revised or varied in consequence of a like Application and in like Manner as hereinbefore is mentioned, or in consequence of any Application to be made for a Revision of the said Apportionment pursuant to the Power for that Purpose hereinafter contained; and it is hereby declared that on every Revision which shall take place by virtue of this Act the Person so nominated as aforesaid shall draw up or cause to be drawn up a Declaration or other Instrument in Writing, and a Duplicate thereof, declaring or specifying the several annual Sums which during the then current Period of Five Years will have to be paid in respect of each and every of the Lands and Tenements in the said Parish by the several Occupiers thereof, by reason or in consequence of such Increase or Diminution of the annual Sum to be paid during the said Period to the said Impropiator; and such Declaration or Instrument, together with such Report or Certificate, shall be inrolled and deposited in manner herein-before provided with respect to the Award hereby directed to be made in the first Instance by the Commissioner appointed by this Act; and every Power, Provision, and Declaration herein contained with respect to such last mentioned Award and the Inrolment thereof shall extend to the Report and Declaration and the Duplicates and Inrolments thereof respectively by this Act directed to be made: Provided always, that the Expence of every such Application, Report, and Declaration, and all other Expences incident thereto or to the Inrolment thereof, shall be paid in the first instance by the Person or Persons upon whose Application the same shall be made, and may be recovered by the Person nominated to make such Report as aforesaid in an Action of Debt

Expences of
such Report,
&c. how to
be paid.

in any of His Majesty's Courts of Record at *Westminster*, against such Person or Persons, together with full Costs of Suit ; and in case such Application shall be made by One or more of the Owners or Occupiers of Lands or Tenements in the said Parish, it shall be lawful for such Owners or Occupiers to recover in like Manner from the several other Occupiers who shall not join or concur in such Application such a Proportion of the Amount of such Expences as the apportioned Part assessed upon each such Occupier of the annual Sum payable to the said Impropiator during the preceding Five Years shall bear to the whole of the said annual Sum ; and in case the Tenancy or Tenancies of any such Occupier or Occupiers shall expire or determine, and he, she, or they shall cease to occupy the Lands or other Hereditaments in respect of which they are hereby made liable to bear a Share of the Expences incident to such Application, Report, and Declaration as aforesaid, before the next Period for revising the said Composition shall arrive, then and in every such Case it shall be lawful for him, her, or them to demand and receive, from the Person or Persons who shall succeed to the Occupation of such Lands or other Hereditaments, such a Proportion of the Costs, Charges, and Expences paid by or levied upon the outgoing Occupier or Occupiers as the Number of Years then unexpired of the said Period for which such Revision shall have been made shall bear to the whole of such Period ; and such outgoing Occupier or Occupiers shall have the same or the like Remedies for the Recovery thereof against the incoming Occupier or Occupiers as are by this Act given to the Person nominated to make such Report and Declaration for the Recovery of the Costs, Charges, and Expences incident to such Report and Declaration against the Person or Persons hereby primarily made liable to pay the same.

XVII. And whereas it is expedient that the Apportionment or Assessment hereby directed to be made of the Composition for the Time being payable to the said Impropiator by virtue of this Act should be subject to Revision or Alteration from Time to Time according to the Variation which shall take place in the State of the Cultivation or Condition of the Lands and Tenements in the said Parish of *Llanelly* ; be it therefore enacted, That on the Twenty-ninth Day of *September* One thousand eight hundred and forty-six, (or at the then next ensuing Quarter Sessions of the Peace to be holden in and for the said County of *Carmarthen*, and so from Time to Time at the End of every subsequent Period of Fifteen Years, to be computed from that Day, or at the next ensuing Quarter Sessions thereafter,) it shall be lawful for any One or more of the Owners or Occupiers of Lands or Tenements in the said Parish of the annual Value in the whole of One thousand five hundred Pounds to make Application, under their respective Hand or Hands, to the Justices of the Peace assembled at such Quarter Sessions respectively, (Notice in Writing of such intended Application having been affixed on the principal outer Door of the Parish Church of *Llanelly* aforesaid Three successive *Sundays* immediately before Divine Service, and a Copy of such Notice having been inserted in some Newspaper published in the said County of *Carmarthen*, or if there shall be no such Newspaper, then in some Newspaper published in some adjoining or neighbouring County, Fourteen Days at least before the Day on which such Application shall be intended to be made,) to nominate a Commissioner for making a new Apportionment

The Assessment may be altered every Fifteen Years.

Apportionment or Assessment of the annual Sum or Sums of Money for the Time being payable by virtue of this Act to the said Impropiator among the Lands and Tenements in the said Parish according to the then State of the Cultivation or Condition of the same respectively; and the said Justices, or the major Part of them present at such Quarter Sessions, shall, by Writing signed by the Clerk of the Peace of the said County or other proper Officer, appoint some proper Person (not interested in the said Apportionment) to be such Commissioner; and the Commissioner so appointed as last aforesaid shall accordingly make an Apportionment or Assessment of the annual Sum for the Time being payable to the said Impropiator by virtue of this Act, among the Lands and Tenements in the said Parish in respect of which the same shall be payable, with such and the like Powers and Authorities, and in such and the like Manner, to all Intents and Purposes, as herein-before is mentioned with regard to the Apportionment or Assessment which shall be made by the Commissioner appointed by this Act, or his Successor, of the said annual Sum of Two thousand one hundred Pounds; and such Commissioner shall also draw up or cause to be drawn up an Award or Instrument in Writing, and a Duplicate thereof, the former of which shall be inrolled and deposited and the latter delivered to or left for the said Impropiator for the Time being in like Manner as herein-before is mentioned or provided with respect to the Apportionment or Assessment hereby directed to be made, in the first Instance, of the said annual Sum of Two thousand one hundred Pounds, and the Award to be made for establishing the same; and the Sum and Sums of Money so apportioned or assessed as last aforesaid shall, from the half-yearly Day of Payment preceding such last-mentioned Application, be paid in lieu of and be charged and recoverable in like Manner as hereinbefore is declared with respect to the apportioned Parts of the said annual Sum of Two thousand one hundred Pounds; and it is hereby declared that all the Clauses, Powers, Authorities, and Provisions herein-before contained with respect to the Apportionment of the said annual Sum of Two thousand one hundred Pounds, and the Payment and Recovery of the apportioned Parts thereof, shall extend and be construed to extend to every other Apportionment and Assessment which shall be made by virtue of this Act, and to the Payment and Recovery of the Sums of Money which shall thereby be respectively appointed or assessed; and all the Costs, Charges, and Expences of every such Apportionment and Award as is lastly herein-before provided for shall be paid by the Occupiers of Lands or Hereditaments rateably in the Proportions in which they shall respectively be assessed towards the annual Sum for the Time being payable to the said Impropiator, and shall be recovered in like Manner as herein-before is expressed with respect to the Proportion or Part herein-before directed to be paid by the Occupiers of Lands and Tenements, on the Expences of the Apportionment of the said annual Sum of Two thousand one hundred Pounds: Provided always, that in case the Tenancy or Tenancies of any such Occupier or Occupiers shall expire or determine, and he, she, or they shall cease to occupy the Lands or other Hereditaments in respect of which they are hereby made liable to bear a Share of the Expences of such new Assessment or Apportionment as aforesaid before the next Period for revising the same shall arrive, then and in every such Case it shall be lawful for him, her, or them to demand and receive, from the Person or Persons who shall succeed to the Occupation of such
Lands

Lands or other Hereditaments, such a Proportion of the Costs, Charges, and Expences paid by or levied upon the outgoing Occupier or Occupiers, as the Number of Years then unexpired of the said Period for which such Assessment or Apportionment shall have been made shall bear to the whole of such Period; and such outgoing Occupier or Occupiers shall have the same or the like Remedies for the Recovery thereof against the incoming Occupier or Occupiers as are by this Act given to the Commissioner for the Recovery of the Share or Shares of the Occupier or Occupiers for the Time being.

XVIII. Provided always, and be it further enacted, That if such Applications as hereinbefore are authorized to be made at the End of every Five and Fifteen Years respectively shall not be made at the Times or within the Periods respectively herein-before specified for that Purpose, then and in every or any such Case it shall not be lawful to make such Application until the End of the next Period of Five or Fifteen Years (as the Case may be); and every Report and Declaration, or Apportionment and Assessment (as the Case may be), to be made as aforesaid, shall be binding and conclusive upon all Parties interested therein, and continue in force until a further or other Report and Declaration, or Apportionment and Assessment, shall be made as aforesaid.

No Alteration to be made unless at the End of Five or Fifteen Years.

XIX. And be it further enacted, That in case, in the Interval between the making of any Award or Apportionment, by virtue of this Act, and the Revision or Alteration thereof in manner herein-before provided, any Subdivision shall take place of Lands or Tenements in the said Parish of *Llanelly*, whereby an Alteration shall be made in the respective Holdings thereof, so that One or more of the Sums apportioned or assessed upon particular Farms or Holdings ought to be divided among several Tenants or Occupiers, it shall be lawful for any One or more of the Persons interested in or affected by such Subdivision or Alteration to apply to the said Justices at any Quarter Sessions of the Peace for the said County, first giving Seven Days Notice at the least in Writing to the other Person or Persons affected by such Subdivision of the Day on which such Application is intended to be made, and of the Matter thereof; whereupon such Justices shall decide upon the further Apportionment or Subdivision to be made of the Sum or Sums for the Time being payable in respect of the said Lands or Tenements which shall have been so subdivided, or the Holdings whereof shall have been so altered as aforesaid; and a Minute of such Decision, signed by the Clerk of the Peace for the Time being, shall thereupon be added by way of Rider or otherwise to the Inrolment of the Award which shall for the Time being be in operation; and the said Clerk of the Peace shall transmit a Duplicate (so signed as aforesaid) of such Minute to or cause the same to be left at the last or most usual Place of Abode of the said Impropiator for the Time being, and shall also transmit a Triplicate thereof (so signed as aforesaid) to the Churchwardens or Overseers of the Poor of the said Parish of *Llanelly*, who shall forthwith annex or cause the same to be annexed, by way of Rider or otherwise, to the original Award which shall for the Time being be in operation, and which is hereby directed to be deposited in the Parish Church of *Llanelly* as aforesaid; and every such Minute so annexed shall have the same Authority as if the Contents thereof had formed Part of such original

In case of Subdivision of Farms or Holdings.

[*Local.*]

9 B

Award;

Award; and it is hereby declared that it shall be lawful for the said Justices to determine by which of the Parties interested in every such Application, or in what Proportions the Costs incident thereto shall be paid; and they may, by Warrants under the Hands and Seals of any Two of them, cause the same to be levied by Distress and Sale of the Goods of the Party or Parties liable to pay the same: Provided always, that nothing herein contained shall be construed to make it compulsory upon the said Clerk of the Peace to draw up, sign, annex, or transmit any such Minutes as aforesaid, unless and until the Fees to be awarded by the said Justices in respect thereof shall be duly paid.

Owners may purchase the Assessment on their Lands from the Impropriator.

XX. And be it further enacted, That notwithstanding any thing in this Act contained it shall be lawful for the Owner or Owners of any Lands or Tenements in the said Parish of *Llanelly* to treat and agree with the Impropriator in Fee Simple for the Time being (if he shall be so disposed) for the Purchase of the yearly Sum or Sums being the apportioned Part or Parts of the annual Sum payable by virtue of this Act which shall be assessed in respect of such Lands or Tenements, or any of them; and immediately after such yearly Sum or Sums of Money shall have been conveyed or released by the said Impropriator, and the Conveyance and Release thereof shall have been inrolled in the Office of the Clerk of the Peace for the said County, the said yearly Sum or Sums so conveyed and released, and all Tithes and Payments in lieu of Tithes in, out of, or in respect of the Lands or Tenements upon or in respect of which the same yearly Sum or Sums shall have been payable, shall cease, and the same are hereby extinguished for ever; and the Amount of any yearly Sum or Sums so conveyed or released shall be deducted from the total annual Sum to be hereafter from Time to Time payable to the said Impropriator of the said Parish Church of *Llanelly* by virtue of this Act; and the Residue of such annual Sum shall thereafter be payable out of the other Lands and Tenements in the said Parish as aforesaid.

Persons aggrieved may appeal to the Quarter Sessions.

XXI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, and shall give Seven Days Notice in Writing at the least to the said Commissioner, and to the Churchwardens or Overseers of the Poor of the Parish in and for which such Rate or Assessment shall be made, within Thirty Days next after the Inrolment of the Award or other Instrument establishing such Rate or Assessment, of his or her Intention to appeal against the same, or if any Person shall think himself or herself aggrieved by any other Matter or Thing done in pursuance of this Act, in anywise relating to any such Rate or Assessment, and shall within Four Calendar Months after the Cause of such Complaint shall have arisen give Fourteen Days Notice in Writing to the said Churchwardens or Overseers, and to the Party or Parties to be appealed against, of his or her Intention to appeal, and of the Matter thereof, and shall in either Case, within Seven Days next after the Date of such Notice respectively, enter into a Recognizance before some Justice of the Peace for the said County of *Carmarthen*, with Two sufficient Sureties, conditioned to try such Appeal, and to abide by or submit to the Order therein, and to pay such Costs as shall be awarded by the Justices

Justices at Quarter Sessions, then and in every such Case every such Person may appeal to the Justices of the Peace at the next ensuing Quarter Sessions of the Peace to be holden in and for the said County of *Carmarthen* after the Expiration of such Notices respectively; and the said Justices at such Quarter Sessions are hereby authorized to hear and determine such Appeal; and in all Cases where they shall see fit, it shall be lawful for them to amend such Assessment, and the Award and Inrolment thereof, by altering the Proportions or Amounts of any yearly Sums assessed, or in such Manner as they shall think necessary, for giving Relief to the Party or Parties aggrieved, without quashing or wholly setting aside such Assessment; but no Diminution or Alteration shall be made in the aggregate Amount of the annual Sums to be assessed, which shall always be equal to the Sum of Two thousand one hundred Pounds, or other the annual Sum for the Time being payable to the said Impropiator by virtue of this Act; and in every Case in which an Alteration or Amendment of the said Assessment shall be determined upon in manner aforesaid, such last-mentioned Alteration or Amendment shall be carried into effect in the same Manner and shall be governed by the same Provisions as are herein-before mentioned or contained in regard to any Alteration or Amendment to be made in case of the Subdivision of any Farms or separate Holdings, and Application made to the said Justices in respect thereof: Provided always, that if the said Court shall be of opinion that it is necessary, for the Purpose of giving Relief to the Person or Persons appealing, that any Assessment shall be wholly quashed, then the said Court may quash the same, and a new Assessment shall be made in the same Manner as if the Assessment so quashed had never been made; but nevertheless all and every the Sum and Sums of Money in and by such Assessment charged upon any Person or Persons, in respect of any Lands or Tenements, shall and may be levied and recovered by the said Impropiator for the Time being by such Ways and Means and in such and the same Manner as if no Appeal had been made against such Assessment; and all and every the Sum and Sums of Money which any Person or Persons charged in such Assessment shall pay, or which shall be levied upon or recovered from him, her, or them, shall be deemed and taken as Payment on account of the next valid Assessment or Assessments which shall be made for the Purposes of this Act; and in order to provide for the Payment of any Costs incident to such Appeal as aforesaid, it is hereby declared that the said Justices shall determine by whom and in what Proportions the same shall be paid, and their Determination shall be final and conclusive upon all Parties; and it shall be lawful for such Justices, by Warrants under the Hands and Seals of any Two of them, to cause such Costs to be levied by Distress and Sale of the Goods of the Party or Parties liable to pay the same.

Assessments
may be
amended by
Justices at
Quarter
Sessions.

XXII. And be it further enacted, That no Assessment or other Proceeding to be had touching any Order made or other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, in pursuance of this Act, shall be quashed, vacated, or set aside for Want of Form only, or be removed or removable into any of His Majesty's Courts of Record by Certiorari or any other

Proceedings
not to be
quashed for
Want of
Form.

other Writ or Process whatsoever ; any Law or Usage to the contrary notwithstanding.

Composition
not to be a
Charge upon
the Land.

Where
Lands un-
tenanted,
Owners to
be deemed
Occupiers
for the Pur-
poses of this
Act.

Persons
mentioned in
Schedule
not to be
bound by
the Act
without their
Consent.

Power for
such Persons
to adopt the
Act with the
Consent of
the Impro-
priator.

XXIII. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to make any annual Compensation or Sum of Money to be from Time to Time payable to any Impropriator, by virtue of the Provisions herein contained, or the apportioned Parts thereof, a Charge or Charges upon any Lands or Tenements, it being the true Intent and Meaning of this Act, that such Sums respectively shall from Time to Time be chargeable only upon the several Occupiers of the several Lands and Tenements ; but it is hereby also declared that for the Purposes of this Act the several Owners of any Lands or Tenements which shall from Time to Time be untenanted shall be deemed and considered the Occupiers for the Time being of such Lands or Tenements, or of such Parts thereof only as they shall farm or cultivate, and shall be chargeable with the several Sums rated or assessed by virtue of this Act upon such Lands or Tenements so farmed or cultivated by them, in proportion to the Value of such Lands or Tenements.

XXIV. Provided also, and be it further enacted, That nothing in this Act contained shall be construed to compel the several Persons mentioned in the Schedule to this Act annexed, or any or either of them, or the Owner or Owners for the Time being of the Lands now belonging to or held by them respectively as Owners, in Possession or Reversion, in the said Parish of *Llanelly*, or their or any of their Tenants, without the previous Consent in Writing of the said several Persons respectively, or such Owner or Owners for the Time being, and of the said Impropriator for the Time being, to pay any Sum or Sums of Money which shall from Time to Time be assessed or apportioned by virtue of the said Act upon or in respect of the Lands now belonging to or held by the said several Persons, or any or either of them, in manner aforesaid, as the Proportion or Share to be payable in respect of such Lands of the said Sum of Two thousand one hundred Pounds, or other the aggregate annual Sum for the Time being payable to the said Impropriator by virtue of the said Act, or of any Expences to be incurred by virtue of this Act, in manner aforesaid ; but the said Lands of the said several Persons shall henceforth, until such Consent, remain liable or chargeable to Tithes or other Payments, in the same Manner, to all Intents and Purposes, and subject to such and the same Powers and Remedies for recovering the same, and no others, as if this present Act had not been passed.

XXV. And be it further enacted, That if at any Time hereafter the said several Persons mentioned in the said Schedule, or any or either of them, or the Owner or Owners for the Time being of the Lands now belonging to them respectively, in Possession or Reversion, in the said Parish, shall be desirous of accepting the Terms and Conditions of and of being bound and concluded by this Act, and the said Impropriator shall consent thereto, such Desire and Consent shall be expressed in Writing, and signed by the Party or Parties thereto respectively in Triplicate, and one Part thereof, so signed, shall be delivered to the said Impropriator, another to the Party or Parties

signing the same, and the Third Part thereof shall be inrolled by the Clerk of the Peace with the Inrolment of the Award, and shall be afterwards annexed to the original Award by the said Act authorized and directed to be made, and deposited in the said Church of *Llanelly*, and shall thenceforth go along with and form a Part of the same, and be binding upon both the Parties thereto.

XXVI. Provided always, and be it further enacted, That in the meantime and until the said several Persons mentioned in the said Schedule, or the Owner or Owners for the Time being of the Lands now belonging to them respectively in manner aforesaid, shall accept the Terms and Conditions of this Act in manner hereinbefore mentioned, the said Impropiator shall bear and pay all such Costs, Charges, and Expences as under or by virtue of this Act shall from Time to Time be payable in respect of the Lands belonging to the said several Persons respectively in manner aforesaid, or of such of the said Lands respectively the Owner or Owners whereof for the Time being shall not have accepted the Terms and Conditions of this Act.

Proportion
of Expences
of Assess-
ment, &c.
chargeable
on exempted
Lands, how
to be paid.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without the same being specially pleaded.

Public Act.

The SCHEDULE to which this Act refers.

Earl Cawdor.	John Bennett.
Lewis Weston Dillwyn.	Daniel Thomas.
John Dillwyn.	William Edmund.
David Parry of Colnbrook.	John Daniel.
Isaac Griffith.	David William.
Phillip Phillip.	Mary Jones.
David Jones.	Evan Walter of Lethrig.
David Phillip.	John Hugh.
William Rees.	William Jenkin.
John Bonville.	Henry Lucas.
Daniel Walter of Clyngwernensha.	Col' Pemberton.

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