



29 Geo 3 Cap 14

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F O R

Dividing and Inclosing a certain Common,  
called *Wiswell-Moor*, in the Township of  
*Wiswell* and Parish of *Whalley*, in the  
County Palatine of *Lancaster*.

**W** H E R E A S there is within the Township of *Wiswell* and Parish of *Whalley*, in the County Palatine of *Lancaster*, a certain Common, or Parcel of waste Ground, called *Wiswell-Moor*, containing, by Estimation, Three hundred and Fifty Acres, or thereabouts, of the customary Measure there used, being Seven Yards to the Rod or Pole: Preamble:

And whereas *Thomas Weld*, Esq. is Lord of the Manor of *Wiswell* afore said, and he, together with *James Whalley*, Esq. *Penn Ashteton Curzon*, Esq. *Robinson Shuttleworth*, Esq. and several other Persons, are Owners and Proprietors respectively of antient Messuages, Lands, Tenements, and Hereditaments, within the said Manor and Township of *Wiswell*, and have severally for themselves and their respective Lessees and Tenants, for and in respect of their several Estates within the same Manor, Right of Common without Stint, upon the the said Common or Waste Land:

*Thomas Weld*,  
Esq. Lord of  
the Manor.

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And

And whereas there are divers Leasehold Estates within the said Manor, held for one or more Life or Lives, or for Years, determinable on the dropping of a Life or Lives, and the Lessees or Tenants thereof, have and enjoy Common of Pasture upon the said Common or Waste Ground, for and in respect of such Estates :

Inconveniences.

And whereas the said Common or Waste Ground, at present affords little Profit or Advantage to the Persons intituled thereto, but is capable of great Improvement, and the same would, if divided and allotted to and amongst the several Proprietors and Persons interested therein, (according to their respective Estates and Interests of and in the same,) be of great Advantage to them; but as the said Division and Inclosure cannot be effectually established to answer the Intention of the Parties interested in the said Common or Waste Ground without the aid of Parliament :

May it therefore please Your MAJESTY,

Commissioners.

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 the said Common or Waste Ground within the Manor or Township of *Wiswell* aforesaid, shall on or before the Twenty-ninth Day of September, One Thousand Seven Hundred and Eighty-nine be set out, divided, and allotted, by *Henry Waddington*; of *Crow Nest*, in the West Riding of the County of *York*, Gentleman, *Henry Porter* of *Bank* within *Bretberton*, in the said County of *Lancaster*, Gentleman, and *Matthew Oddie* of *Coln*, in the same County, Gentleman, Commissioners appointed by this Act, and their Successors, or any two of them, in the Manner, and subject to such Rules, Provisoes, Orders, and Directions, as are established, appointed, and prescribed, in and by this Act.

Provided always, and be it further Enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner, in the Execution of the Powers given by this Act (except the Power of giving Notice for the First Meeting of the Commissioners for putting this Act into Execution, and the Power of administering the Oath, or taking the Affirmation hereinafter mentioned) until he shall have taken and subscribed an Oath (or, being one of the People called Quakers, shall have made and subscribed a solemn Affirmation) to the Effect following, that is to say :

“ I,

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“ I, *A. B.* do swear, (or, being one of the People called Quakers, Commission-  
 “ do solemnly, sincerely, and truly declare and affirm,) ers Oath.  
 “ that I will faithfully, impartially, and honestly, accord-  
 “ ing to the best of my Skill and Judgement, execute the  
 “ Trusts reposed in me as a Commissioner, by virtue of an  
 “ Act of Parliament, made for dividing and inclosing a cer-  
 “ tain Common called *Wiswell Moor*, in the Township of  
 “ *Wiswell* and Parish of *Whalley*, in the County Palatine of  
 “ *Lancaster*, and hear and determine all such Matters and  
 “ Things as shall be brought or come before me as a Com-  
 “ missioner, by Virtue of the said Act, without Favour or  
 “ Affection, Prejudice or Malice, to any Person whomso-  
 “ ever.

“ So help me GOD.”

Which Oath it shall and may be lawful for any One of the said Commissioners to administer, and which solemn Affirmation, so to be made, it shall and may be lawful for any One of the said Commissioners to take, and he is hereby required to administer the same Oath to any other of the said Commissioners, and to take such solemn Affirmation accordingly; and the said Oath or Affirmation, so taken and subscribed by each Commissioner, shall be annexed to One Part of the Award or Instrument hereinafter directed to be made by the said Commissioners, and to be deposited therewith amongst the Records of the Court of Chancery for the said County of *Lancaster*, as hereinafter mentioned.

And, for the more just and regular Division of the said Common Survey  
 or Waste Ground, Be it further Enacted, That a true and perfect  
 Survey, Admeasurement, Map, and Plan, shall be made thereof,  
 as soon as conveniently may be, by the said *Matthew Oddie*, or, in  
 Case of his Death or Refusal, or Incapacity to act, then by such  
 other Person or Persons as the said Commissioners or any two  
 of them shall by Writing under their Hands appoint; and that  
 such Survey and Admeasurement shall be reduced into Writing,  
 and shall express the Quantity of Land, in customary Measure, con-  
 tained in the said Common or Waste Ground, and shall, if requir-  
 ed, be verified on the Oath or Affirmation of the said *Matthew  
 Oddie*, or of such other Surveyor or Surveyors as shall be appointed  
 by the said Commissioners or any two of them as aforesaid;  
 which Oath or Affirmation any One of the said Commissioners is  
 hereby empowered to administer or take.

And

Commissioners to give Notice of their first and other Meetings.

Commissioners dying, or refusing to act, others to be appointed.

And be it further Enacted by the Authority aforesaid, That the said Commissioners shall, and they are hereby required to affix a Notice in Writing upon the principal Door of the Parish Church of *Whalley* aforesaid, of the Time and Place of their First and every other Meeting for executing the Powers hereby vested in them, at least ten Days before every such Meeting, (Meetings by Adjournment only excepted) and, to prevent any Delay that may be occasioned by only One of the said Commissioners happening to attend either a Meeting in Consequence of such Notice as aforesaid, or by Adjournment, it shall and may be lawful for such One Commissioner so attending to adjourn such Meeting to the same Place, to such future Time as he shall think proper, not exceeding ten Days; and that, if any One or more of the said Commissioners shall happen to die or refuse to act before the Execution of the Award or Instrument hereinafter directed to be made, then the surviving and acting Commissioner or Commissioners shall and may elect, within two Calendar Months after the Death or Refusal of each such Commissioner or Commissioners as aforesaid, some other proper Person or Persons, not interested in the Premises, to be a Commissioner or Commissioners in the Room of him or them so dying or refusing to act; and the Person or Persons so to be elected shall have the same and the like Powers and Authorities in the Premises in all Respects as the Commissioner or Commissioners had in whose Room he or they shall succeed; and in the mean Time, or in Default of such Election, the surviving or acting Commissioner or Commissioners shall proceed in the said intended Division and Allotment, and in executing all the other Powers hereby given to the Commissioners hereinbefore named.

When Claims to be made.

Commissioners to hear & determine Claims of Common Right.

And be it further Enacted, That all and every Person and Persons having or claiming any Right of Common on the said Common or Waste Ground, shall, by himself, herself, or themselves, or his, her, or their, Agents, respectively, give or deliver in Writing an Account of his, her, or their respective Claims to the said Commissioners, or any two of them, at their First or Second Meeting, to be held in Pursuance of this Act, and at no other Times shall such Claims be made or received; and, if such Claims shall then, or at the Third Meeting of the said Commissioners, be objected to by any Person having Right of Common on the said Common or Waste Ground, or any Part thereof, or by his, her, or their, Agent, Solicitor, or Attorney, then and so often it shall and may be lawful for the said Commissioners or any two of them, and they are hereby required by Examination of Witnesses on Oath, (which Oath the said Commissioners or any two of them are hereby



hereby required and impowered to administer, and, upon other proper Evidence, Enquiry, and Satisfaction, to hear and determine the same, and that such Determination shall be binding and conclusive upon the Parties between whom such Difference or Dispute shall arise, and every of them, their several and respective Heirs, Executors, Administrators, and Assigns, and on all other Persons whomsoever, to all Intents and Purposes whatsoever.

Provided always that nothing herein contained shall authorise the said Commissioners or any of them to determine any Difference or Dispute which shall arise touching the Title of any Person or Persons in or to any Part of the Lands to be allotted by Virtue of this Act, for which the Parties may commence and prosecute such Suits and Remedies as they shall be advised and think proper, but no such Difference or Suit shall impede or delay the said Commissioners or any of them in the Execution of the Powers vested in them by this Act, but the Division and Inclosure, by this Act directed to be made, shall be proceeded-in notwithstanding any such Difference or Suit; and, in Case of any such Difference or Suit, the said Commissioners shall set out the Land which shall be allotted in Respect of such disputed or litigated Property, so that it may be distinguished from any other Land, and may be had and taken by the Person or Persons who upon the Determination of such Difference or Suit shall become intituled to the same.

But not the Title to the Lands to be allotted.

And be it further enacted that the said Commissioners or any two of them shall, and they are hereby impowered and required, before making the Division and Allotments to be made in Pursuance of this Act, to assign, set out, and allot, to the said *Thomas Weld* and the several other Owners and Proprietors of the said Common or Waste Ground, such Portions or Parcels thereof not exceeding three customary Acres in the Whole, in such convenient Place or Places as the said Commissioners or any two of them shall think proper, to be used for the getting of Sand, Gravel, or Stones, for the making of Erections and Buildings, as well upon the said Common or Waste Ground as upon the antient Inlands and repairing the same and repairing the present public Roads and Ways, and also such new public and private Roads, Ways, Walls, Plats, Bridges, and Fences, as shall be set out and appointed, as herein after is directed, within the said Manor and Township of *Wiswell*.

Commissioners to set out Allotments for Stone-Quarries.

Provided always, and be it enacted, that, in Case the Materials to be got out of the Ground to be set out or allotted in Pursuance of this Act, shall not be sufficient for the Purposes aforesaid, nothing herein

If not sufficient the Surveyors of the Highways not

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herein

to be precluded from getting Materials elsewhere.

herein contained shall extend, or be deemed, construed, or taken, to extend, to preclude or prevent the Surveyors of the Highways within the said Township of *Wiswell*, for the Time being, from getting Materials within any other of the Lands or Grounds (besides the said Allotment or Allotments so to be set out as aforesaid) in the same Township for the Repairs of the Highways there, agreeable to the Laws made and now in Force, or to be made, for repairing of the public Roads within that Part of *Great Britain* called *England*.

Commissioners to value the Lands to be allotted.

And be it further enacted, by the Authority aforesaid, that the said Commissioners shall, and they are hereby authorized and required, as soon after the Survey and Admeasurement, herein before directed to be made, shall have been made and laid before them as conveniently may be, to value the said Common or Waste Ground intended to be inclosed; and, after setting out the necessary Roads, Ditches, and Drains, over and through the said Common and Waste Ground, and such Lands as they shall think necessary and proper for public Pits and Quarries to set out and allot, unto and for the said *Thomas Weld*, as Lord of the Manor of *Wiswell* aforesaid, his Heirs and Assigns, so much and such Part or Parts of the Residue of the said Common or Waste Ground, hereby directed to be divided and inclosed, as shall in the Judgement of the said Commissioners or any two of them be equal in Value to one twentieth Part thereof, (Quantity and Quality considered,) to be fixed upon or ascertained by the said Commissioners or any two of them, as and for a Compensation for his Consent to the intended Inclosure of the said Common and Waste Ground, and for his Interest therein, other than and except as is herein after mentioned.

Allotment to *Thomas Weld*, Esq. as Lord of the Manor.

Allotment of the Residue.

And be it further enacted, that, after the Allotments herein before mentioned shall be made and set out, the said Commissioners or any two of them shall assign, set out, and allot, all the Residue and Remainder of the said Common or Waste Ground by Metes and Bounds in Severalty, unto and amongst the said *Thomas Weld*, *James Whalley*, *Penn Afsbeton Curzon*, *Robinson Shuttleworth*, and the several other Persons intitled to Right of Common upon the said Common or Waste Ground, according and in Proportion to the real Value of their several Estates, in Respect whereof they are intitled to such Right of Common as aforesaid, such Value to be ascertained, settled, and adjusted, by the said Commissioners or any two of them, by and according to the Amount of the Poor-Rates for the said Township of *Wiswell*, which were made and assessed in the Year of our Lord One Thousand Seven Hundred and Eighty-seven.

According to the Amount of the Poor-Rates.

And



And be it further enacted, that the said Commissioners, in making each and every of the Allotments by this Act directed to be made, shall have a due Regard to the Quantity and Quality of the Lands to be allotted, and to the Situation of the Dwelling or Farm Houses or other Estates of the several Persons to whom such Allotments shall be made, so as to set out and allot to them their respective Allotments as near or contiguous to such Houses or other Estates as shall be consistent with the general convenient Partition and Division of the said Common and Waste Ground.

The Commissioners to have a due Regard to the Quantity and Quality of the Lands to be allotted.

And be it further enacted, that, immediately after such Division and Allotments of the said Common or Waste Ground, so intended to be divided and inclosed as aforesaid, shall be marked and staked out all the Right of Common of what Nature or Kind soever, claimed by any Person or Persons whatsoever, in, over, or upon, all or any Part of the said Common or Waste Ground so to be inclosed, shall absolutely cease, determine, and be for ever extinguished; and that it shall and may be lawful to and for all or any of the said Proprietors, after their Allotments shall have been staked and set out by the Order and with the Consent of the said Commissioners or any two of them, by Writing under their Hands, to enter upon, and ditch or fence out their respective Allotments, and to wall or quick-fence the same in such Manner and at such Time or Times as the said Commissioners or any two of them shall direct; and, in Case any of such Walling, Ditching, or Quick-Fencing, shall be wilfully damaged or destroyed, or any Crop that shall be growing upon such Allotment or Allotments shall be in any Wise wilfully injured, the Person or Persons wilfully damaging and destroying any such Wall, Ditch, or Quick-Fence, or wilfully injuring any such Crop, shall be deemed a Trespasser or Trespassers against the Person or Persons empowered as aforesaid to enter upon such Allotment or Allotments respectively, his or their Tenant or Tenants, and shall be liable to answer Damages to him, her, or them, in Respect thereof, in like Manner as if the Award hereinafter directed to be made, was made and executed, and any such Offence was afterwards committed.

After the Allotments are staked out all Common Right of the Proprietors to cease.

And the Proprietors may inclose.

Provided always and be it further enacted that any of the Proprietors of the said Moor or Common shall have full and free Liberty to get Stone sufficient for making and erecting such new Fences in and upon such Parts of the said Moor or Common as the said Commissioners or their Successors or any two of them shall direct, and to lead away the same with Carts and other Carriages to any Place where any of the new Fences for the dividing the said Moor or Common shall be ordered by the said Commissioners or any two of

For getting Stones to maketh Fences.

of them to be set and made; such Proprietor or Proprietors as shall get and lead away the said Stone making full and reasonable Satisfaction for the Damage which may be done thereby to the Proprietor or Proprietors in whose Allotment or Allotments the same shall be so got; and, in Case the said Parties cannot agree in ascertaining the Damages, the said Commissioners appointed or to be appointed by Virtue and in Pursuance of this Act or any two of them, shall, by such Ways and Means as to them shall appear most proper, finally assess, settle, and determine, the Quantum of the Damages sustained by such Person or Persons in whose Allotment or Allotments such Stone shall be so got, and the Time and Place of the Payment thereof; and, in Case of Neglect or Refusal to pay the same, the said Commissioners or any two of them shall, and they are hereby required by Warrant under their Hands and Seals to cause the same 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, after deducting the reasonable Charges and Expences of making such Distress and Sale to the Owner or Owners of the said Goods and Chattels.

Allotments to be held in Severalty.

And be it further enacted, that all such Allotments of the said Common or Waste Ground, as shall be so set out and allotted by the said Commissioners as aforesaid, shall be accepted within the Time herein after mentioned by the several Persons to whom the same shall be so allotted, their Heirs, Executors, Administrators, Lessees, or Assigns, respectively, and shall be held and enjoyed by them in Severalty, freed and discharged of and from all Claims and Right of Common whatsoever, and each and every of the said Owners or Proprietors to whom any such Allotment or Allotments shall be made, his, her, and their Heirs, Executors, Administrators, Lessees, and Assigns, respectively, shall have the same, and the like Estates and Interests, in such his, her, or their, Allotment and Allotments so to be set out as aforesaid, when allotted as he, she, or they, respectively, shall or may have immediately before the making of such Allotments in the Lands, Hereditaments, or Common Right, in Respect whercof each such Allotment shall be made without any Claim, Interruption, or Disturbance, from any other of the Owners, Proprietors, or Persons interested as aforesaid, in the said Common or Waste Ground, so directed to be divided and inclosed as aforesaid or any Part thereof.

Power to the Commissioners to set out, make, or al-

And be it further enacted, that the said Commissioners or any two of them shall and may set out and make, or appoint to be made, changed, or altered, all such public and private Roads and

and Ways, Fences, Ditches, Drains, Bridges, Gates, and Stiles, in, through, and over, any Part or Parts of the said Common or Waste Ground as they shall think necessary, convenient, or proper, so as all the public Highways and Roads so to be set out shall be of the Breadth of Forty Feet between and exclusive of the Ditches; and that the said private Roads or Ways shall be of such Breadth as the said Commissioners or any two of them shall order and direct, and all public Carriage-Roads shall be well and sufficiently fenced out on both Sides by such of the Owners and Proprietors of the said Common or Waste Ground, and within such Time as the said Commissioners shall by the said Award direct or appoint; and that it shall not be lawful for any Person to erect any Gate across any of the said public Carriage Roads, or to plant any Trees in or near to the Hedges on the Sides of any of such Roads at a less Distance from each other than Fifty Yards, and after the said public Roads shall have been set out as aforesaid, the said Commissioners, or any two of them, shall, and they are hereby empowered and required, by Writing under their Hands, to appoint some proper Person to be Surveyor of the said Roads, and such Surveyor shall cause the same to be properly formed and completed, and put into good and sufficient Repair, and shall be allowed such Salary or Reward for his Trouble therein as the said Commissioners or any two of them shall, by Writing under their Hands, direct and appoint, which Salary or Reward, and also the Expence (over and above the Statute Duty) of forming the said Roads, and of putting the same into good and sufficient Repair, shall be raised in like Manner as the Charges and Expences of obtaining and passing this Act, and the carrying of the same into Execution, are herein after authorized and directed to be raised, and that none of the Inhabitants of the said Township of *Wiswell* other than the respective Persons, to whom Allotments on the said Common or Waste Ground hereby intended to be divided and inclosed shall be made, shall be charged or chargeable over and above the Statute Duty towards the forming or repairing the said public Carriage-Roads, until the same shall be made fit for the Passage of Travellers and Carriages, and shall have been certified so to be by the said Surveyor, by Writing under his Hand, to be delivered to the Clerk of the Peace at some Quarter Sessions of the Peace to be holden for the County Palatine of *Lancaster*, and until such Certificate shall have been allowed and confirmed by the Justices at such Sessions; which said Certificate shall be so delivered to the Clerk of the Peace at the Quarter Sessions to be holden next after the said Roads shall be formed and put into good and sufficient Repair as aforesaid, and within the Space of Two Years next after the Execution of the Award or Instrument herein after mentioned,

ter, both public & private Roads.

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unless



unless sufficient Reasons be given to the Satisfaction of the said Justices that a further Time is necessary for that Purpose; in which Case the said Justices may, and they are hereby impowered to allow such further Time for delivering in the said Certificate as they shall think proper, not exceeding One Year; and, in Case the said Surveyor shall neglect or refuse to deliver in such Certificate, within the Time before limited, he shall forfeit and pay the Sum of ten Pounds, to be recovered in like Manner as any other Penalty is by this Act authorized to be recovered, and the same shall be applied towards defraying the Expences of carrying this Act into Execution, in such Manner as the said Commissioners or any two of them shall direct, and that, after such Certificate shall have been delivered to the said Clerk of the Peace by the said Surveyor as aforesaid, and shall have been allowed and confirmed at such Sessions, the said Roads shall be from Time to Time supported and kept in Repair in the same Manner as the other public Roads, within the said Township of *Wiswell*, are by Law to be amended and kept in Repair, and that the said private Roads or Ways shall be made at the Expence of such Person and Persons to whom the said Common or Waste Ground shall be allotted in such Shares and Proportions as the said Commissioners or any two of them shall order, direct, and appoint; and that, after such public and private Roads or Ways shall be set out and made, it shall not be lawful for any Person or Persons to use any other Roads or Ways, either public or private, in, over, through, or upon, the Common or Waste Ground, hereby directed to be divided and inclosed, either on Foot, or with Horses, Cattle, or Carriages, and that all former Roads and Ways, which shall not be set out and appointed as the Roads and Ways through the said intended Inclosure, shall be deemed Part of the Common or Waste Ground to be divided and inclosed by Virtue of this Act, and shall be divided and allotted accordingly as Part thereof, and all Hedges, Ditches, Fences, Banks, Drains, Bridges, Gates, Stiles, Watercourses, and other Requisites, to be set out, erected, and appointed, as aforesaid, shall be made, and at all Times thereafter repaired, cleansed, maintained, and kept in Repair, by such Person or Persons and in such Manner as the said Commissioners or any two of them shall, in and by their Award or Instrument herein after mentioned, order, direct, and appoint.

No Sheep or Cattle to be turned into any Lands, &c nor any Sheep or Lambs into the new Inclosures for seven Years.

And be it further enacted, that it shall not be lawful for any Person or Persons, at any Time hereafter, to turn any Sheep, Horses, Mares, Geldings, or other Cattle whatsoever, into any Lanes, Ways, or Passages, on either Side whereof any new Fences shall be made, or any Sheep or Lambs in or upon any Part of the Premises so intended to be inclosed, unless such new Fences (if Quickset Fences)

Fences) shall be well and sufficiently guarded, or unless such Fences shall be made of Stone of a Height sufficient to turn Sheep, for the Space of seven Years next after making the Award herein after mentioned, and that the Persons respectively depasturing Sheep or Lambs on any such Lands as aforesaid, and neglecting or refusing to guard in a reasonable Manner the fresh Quick-wood planted on their Neighbour's Lands next adjoining to their own respective Lands, or neglecting to make a Stone-Fence of a Height sufficient to turn Sheep, shall be liable to answer and pay all such Damages as shall be sustained by any Person or Persons whomsoever, by Reason or on Account of such depasturing and keeping Sheep or Lambs in any such Allotment or Allotments respectively, contrary to the Directions of this Act; which Damages shall and may, on Complaint to the Justices assembled at any General Quarter Sessions of the Peace, to be held by Adjournment at *Preston*, in and for the said County Palatine of *Lancaster*, be enquired into by such Justices, at the same Sessions, in a summary Way by Examination of Witnesses on Oath; and, in Case such Complaint be there adjudged to be well grounded, then such Justices shall and may fix and ascertain the Quantum of such Damages, and cause the same to be levied by Distress and Sale of the Goods and Chattels of the Party guilty of such Neglect or Refusal, together with reasonable Costs, to be assessed by such Justices, returning the Overplus (if any) to the Owner thereof; provided nevertheless that eight Days Notice, in Writing, of each such intended Complaint shall be given to the Person or Persons against whom the same shall be made, and, for Want of such Notice, such Complaint shall be dismissed; and in Case, upon the hearing of any such Complaint, the same shall not appear to be well proved, then the said Justices shall and may dismiss the same, with Costs, at the Discretion of such Justices to be paid, by the Party or Parties making such Complaint, to the Party or Parties against whom the same shall be so causelessly made, to be levied and recovered as aforesaid.

And, for the more convenient Situation and Disposition of the several Farms, Lands, and Estates, within the said Manor and Township of *Wiswell*, and in any other Township or Townships adjoining thereto, **Be it further enacted**, that it shall and may be lawful to and for all or any of the Owners or Proprietors of any Messuages, Buildings, Lands, Tenements, or Hereditaments, new Allotments, or old Inclosures, within the said Manor and Township of *Wiswell*, or in any other Township or Townships adjoining thereto, and also to and for the Husbands, Guardians, Committees, and Trustees, of any of the said Owners or Proprietors, being under

Powers to  
make Ex-  
changes.

Coverture,



Coverture, Minors, Idiots, Lunatics, or beyond the Seas, or otherwise incapable to act 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 or Incapacity whatsoever, (whether such Owners or Proprietors be Tenants in Fee-Simple, Tenants for Life, Tenants in Fee-Tail, General, or Special, Tenants, by the Courtesy of *England*, or Tenants for Years determinable on any Life or Lives, or in any other Right whatsoever,) by Writing under their Hands, to exchange all or any of his, her, or their, Messuages, Buildings, Lands, Tenements, or Hereditaments, Allotments of Common, or old Inclosures, for any other Messuages, Buildings, Lands, Tenements, or Hereditaments, Allotments of Common, or old Inclosures, within the said Township and Manor of *Wiswell*, or any Township or Townships adjoining thereto, so as that all such Exchanges be made by and with the Consent and Approbation of the said Commissioners or any two of them, and be ascertained, specified, and declared, in the Award or Instrument herein after mentioned, and all and every such Exchange and Exchanges, so to be made, shall be good, valid, and effectual, in Law, to all Intents and Purposes whatsoever, notwithstanding the Want of sufficient Title in the exchanging Parties, or any Will, Settlement, or Limitation, affecting the Premises so to be exchanged; and such Messuages, Buildings, Lands, Tenements, or Hereditaments, Allotments of Common, or old Inclosures, shall be afterwards enjoyed by the Person or Persons taking the same in Exchange, under and subject to the same Uses, Estates, and Payments, as the Messuages, Buildings, Lands, Tenements, or Hereditaments, Allotments of Common, or old Inclosures, so by him, her, or them, to be parted with or given in Exchange, are now held and enjoyed.

Commissioners to make an Award.

And be it further enacted, that immediately after the said Commissioners or any two of them shall have completed and finished the respective Partitions, Allotments, and Divisions, of the said Common or Waste Ground, pursuant to the Purport and Directions of this Act, they, the said Commissioners, or any two of them, shall, with all convenient Speed, form and draw up, or cause to be formed or drawn up, an Award or Instrument in Writing, which shall express, specify, and contain, the Quantity, in customary Measure of Acres, Roods, and Perches, contained in the said Common or Waste Ground, and the Quantity of each and every Part thereof, assigned and allotted to every of the Parties intitled to and interested in the same respectively, and an exact Description of the Situation, Abuttals, and Boundaries, of the said Parcels and Allotments respectively, distinguishing the several Exchanges of Lands, Tenements,

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Tenements, or Common Right, which shall be made by Virtue of this Act, and containing such Orders and Directions as the said Commissioners or any two of them shall think necessary or convenient, concerning such public and private Roads and Ways, Hedges, Fences, Ditches, Drains, Bridges, Gates, and Stiles, so to be set out and made or altered as aforesaid, and by whom respectively the same shall be made, and thereafter repaired and maintained, together with all such Orders and Regulations as they the said Commissioners or any two of them shall think necessary or proper for the perfecting and completing the said intended Division and Inclosure according to the true Intent and Meaning of this Act; and there shall be two Parts of the said Award fairly ingrossed on Parchment, and signed and sealed by the said Commissioners, or any two of them, one Part whereof shall after the Execution of the same be deposited amongst the Records of the Court of Chancery, for the said County Palatine of *Lancaster*, under the Care of the Register for the Time being, who is hereby required and impowered to receive and deposit the same amongst the said Records upon receiving a Fee of ten Shillings and Six-pence for so doing, and shall permit the same to be inspected by any Person or Persons whomsoever, from Time to Time, and at all reasonable Times for ever, paying the Sum of one Shilling and no more, to the said Register for every such Search and Inspection; which said Award, so to be deposited amongst the said Records as aforesaid, or a true Copy thereof, or of any Part or Parts thereof, shall be allowed and admitted as legal Evidence in all Courts and upon all Occasions whatsoever, and the said Register or his Deputy shall be allowed for making a Copy of such Award, or of any Part or Parts thereof, after the Rate of two Pence for every Sheet, accounting seventy-two Words to a Sheet, and no more; and the other Part of the said Award shall be deposited in the Vestry of the Parish-Church of *Whalley* aforesaid, in the the Box or Chest there, wherein the Books and Papers relating to the said Parish are and may be lodged, to the End that Recourse may be had thereto, from Time to Time, by any Person or Persons interested in the said Division and Inclosure, upon Payment of one Shilling to the Parish-Clerk.

And be it further enacted, that all and every Person and Persons to whom any Share or Shares shall be allotted of the said Common or Waste Ground, so intended to be divided and inclosed as aforesaid, or of any such Lands, Grounds, Tenements, or Hereditaments, which shall be exchanged as aforesaid, and his, her, or their, Heirs, Executors, or Administrators, shall respectively accept the Allotments, Lands, and Tenements, so to be allotted or

Proprietors to  
accept Allot-  
ments within  
a limited  
Time.

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given



given in Exchange to him, her, or them, as aforesaid, within six Calendar Months next after the same, shall be so allotted or given in Exchange to him, her, or them, in Manner as aforesaid; and, after public Notice thereof shall be given in the Church-Yard of the Parish-Church of *Whalley* aforesaid, immediately after Divine Service, and also by Writing to be affixed on the principal Door of the said Parish-Church for that Purpose, (which Notices the said Commissioners or any two of them are hereby required to cause to be so given;) and that every such Person or Persons neglecting or refusing to accept his, her, or their, Allotment or Allotments accordingly, shall be wholly excluded from any Share or Interest in the Lands and Grounds so to be allotted to any other Person as aforesaid, or any Part thereof.

Guardians to accept Allotments.

**Provided also and be it enacted,** That the Guardians, Husbands, Trustees, Committees, or Attorneys, of any Person or Persons being Minors under Coverture or beyond the Seas, or otherwise incapable by Law to accept such Allotments so to be made as aforesaid, shall be and are hereby enabled and required to accept thereof for the Use of such Person or Persons so incapacitated as aforesaid, and such Acceptance shall be, and is hereby declared to be, as valid and effectual as if the Person or Persons, to or for whom the same shall be made respectively, was or were capable of acting for himself, herself, or themselves, any Thing herein contained to the contrary notwithstanding.

Non-claim not to prejudice.

**Provided always,** that the Non-claim or Non-acceptance of any Guardian, Husband, Trustee, Committee, or Attorney, shall not exclude or prejudice the Claim or Acceptance of any Infant, Feme covert, or any other Person or Persons under such Disability or Incapacity as aforesaid, who shall claim or accept within one Year after such Disability or Incapacity removed.

Allotments to be inclosed within a limited Time.

**And be it further enacted,** That, within the Space of twelve Calendar Months next after the Execution of the said Award, or as soon after as the said Commissioners or any two of them shall, in and by their said Award, direct or appoint the several Parcels of Land thereby to be allotted, shall be inclosed, hedged, ditched, and fenced; and such Inclosures, Hedges, Ditches, and Fences, shall be respectively made, and for ever after supported, repaired, maintained, and kept in Repair, by such Persons and in such Manner as the said Commissioners or any two of them shall, in and by their said Award or Instrument direct or appoint; and that, for the better preserving the young Hedges or Quicksets, it shall and may be law-ful



ful for all Persons to whom any Allotment shall be made by Virtue of this Act, from Time to Time, during the Space of seven Years, next after the Execution of the said Award, to set down and place Posts and Rails, or any other Fences on the Outside of the Ditches or Banks bounding their respective Allotments, not exceeding six Feet from such Ditches or Banks, and at any Time, before the End of the said Term, to remove, take, and carry away, all such Posts, Rails, and other Fences, and convert the same to their respective Uses, and that convenient Gaps shall be left in the said Fences and Inclosures, for the Space of twelve Calendar Months next after the Execution of the said Award, for the Passage of Cattle and Carriages, in, by, and through, the same, unless the Parties interested therein shall agree to have the same made up sooner.

And be it further enacted, That in Case any Person or Persons shall refuse or neglect to inclose, hedge, ditch, or fence, his, her, or their, Share or Allotment, Shares or Allotments, within twelve Calendar Months next after the Execution of the said Award, then it shall be lawful for the said Commissioners or any two of them to inclose, hedge, ditch, or fence, the Share or Shares, Allotment or Allotments, of such Person or Persons respectively, the Expences thereof to be discharged in Manner hereinafter directed.

Commissioners to Inclose where the Parties neglect.

And be it further enacted, That the Charges and Expences preparatory to or attending the soliciting, obtaining, and passing this Act, and the Charges and Expences of the surveying and admeasuring the said Common or Waste Ground hereby directed to be surveyed and admeasured, and of making such Roads and Drains as shall be made by the said Commissioners, and of dividing and allotting the said Common or Waste Ground hereby directed to be divided and inclosed, and of the preparing the said Award, and all other necessary Charges and Expences of the said Commissioners in executing this Act, shall be paid, borne, and defrayed, by the Owners and Proprietors of, and Persons interested in as well the said Common or Waste Ground, so intended to be divided and inclosed, as the said present Inclosures, in Proportion, as near as may be, to their respective Shares and Interest therein, at such Time and Times, and in such Proportion and Proportions, and to such Person or Persons as the said Commissioners, or any two of them, shall, either before or after their executing the said Award or Instrument, by a Notice or Notices in Writing under the Hands of the said Commissioners, or any two of them, direct or appoint; and, in Case any of the Persons or Parties aforesaid, shall refuse or neglect to pay his, her, or

For defraying Expences.

or their, Share or Shares, Proportion or Proportions, of such Charges and Expences, or the Charges and Expences of inclosing, hedging, ditching, fencing, or draining, by Order of the said Commissioners, in Pursuance of this Act, his, her, or their own specific Shares or Allotments respectively, within the Time or Times to be limited by the said Commissioners or any two of them, and to such Person or Persons as they or any two of them shall appoint, then, or in any of the said Cases, it shall and may be lawful for the said Commissioners or any two of them, by Warrant under their Hands and Seals, to be directed to any Person or Persons whom they shall think fit to cause the same 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) to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of taking and making such Distress or Distresses and selling the same; and, in Case no such Distress or Distresses can be had or taken as aforesaid, it shall and may be lawful to and for the said Commissioners or any two of them, or any other Person to be authorised by them, to enter into and upon the Premises so to be allotted to such Person or Persons refusing or neglecting to pay as aforesaid, and to take and receive the Rents and Profits thereof respectively, until thereby or therewith the Share or Shares of such Costs and Charges, which ought to have been paid by such Person or Persons so neglecting or refusing as aforesaid, together with all Costs, Charges, and Expences which may be occasioned by such Neglect or Refusal, or by such Entry upon and Perception of the Rents and Profits of the same Premises, shall respectively be fully paid and satisfied.

**Provided always, and be it enacted,** That this Act shall not extend or be construed, deemed, adjudged, or taken to revoke, make void, alter, or annul, any Settlement, Deed, Will, Estate, Use, or Trust, whatsoever, or to prejudice any Person or Persons having any Estate, Right, Interest, Claim, or Demand, whatsoever, of, into, or out of, any of the Lands or Grounds so intended to be divided and inclosed or exchanged, by Virtue of this Act, or any Part or Parcel thereof, but that the several Lands and Grounds to be assigned and allotted upon the said Division, to the several Proprietors and Persons interested therein as aforesaid, shall, immediately after such Allotment made, be, remain, and enure, and be held and enjoyed; and the several Persons, to whom the same shall be assigned and allotted respectively, shall from thenceforth stand and be seized and possessed thereof, to and upon such and the same Uses and Trusts, and to and for such and the same Estates, and with, under, and subject

No Deed,  
Will, &c. to  
be impeached



subject to, such and the same Limitations, Conditions, Powers, Pro-  
 vifoes, Rents, Debts, Charges, and Incumbrances of every Kind,  
 as the feveral Lands, Grounds, and Hereditaments, in Lieu whereof  
 each fuch Allotment fhall, by Virtue of this Act, be fo made, fhould  
 and would have been fubject to and liable to be charged with and  
 affected by in Cafe this Act had not been made, and the Perfon or  
 Perfons to whom any Lands or Hereditaments charged with or fub-  
 ject to any fuch Incumbrances, fhall be allotted or given in  
 Exchange by Virtue of this Act, fhall not be chargeable therewith,  
 but the Perfon or Perfons, claiming any Intereft in any fuch Rents  
 or other Incumbrances, fhall have fuch and the fame Remedies  
 and Powers relating thereto, in, upon, or out of, the new Allot-  
 ments hereby charged therewith, as he, ſhe, or they, fhall have  
 immediately before the making fuch Allotments in, upon, or out  
 of, the Premifes then chargeable therewith.

And be it further enacted, That the Proprietors of the Inclo-  
 ſures to be made by Virtue of this Act, each and every of them  
 fhall be at Liberty, from the Time of the Execution of the ſaid  
 Award or Inſtrument before mentioned, to fet up and continue any  
 Gate or Gates acroſs any Part or Parts of the ſaid Roads, againſt  
 his, her, or their, Lands, for keeping out Cattle or Sheep, and to  
 prevent their deſtroying any Banks, Woods, Plants, Quickſets, and  
 Fences, which fhall be made or planted for incloſing or fencing  
 any Part or Parcel of the ſaid Lands or Grounds hereby intended  
 to be incloſed, fo as fuch Gates fhall not prevent any Perfon or Per-  
 ſons with or without Horſes, Cattle, or Carriages, to paſs and re-  
 paſs through the ſaid Roads, and fo as the ſaid Proprietor or Pro-  
 prietors do and ſhall, and he, ſhe, and they, is and are hereby re-  
 quired, before any fuch Gate or Gates fhall be erected and fet up,  
 to make and lay, where neceſſary, good covered Drains and Bridges  
 over or acroſs the Paſſage, and well and ſufficiently repair the Way  
 or Road leading through fuch Gate or Gates for the Space of five  
 Yards at the leaſt on each Side of fuch Gate or Gates, and ſhall alſo  
 from Time to Time, and at all Times then after, maintain and  
 keep the ſaid Drains and Bridges, and alſo as well the Paſſage for  
 Water to run under as the Paſſage or Road leading through fuch  
 Gate or Gates, in good Repair.

For ſetting  
 up Gates.

And be it further enacted, That the feveral Leſſees and Tenants,  
 who have or hold any leafehold Eſtate or Eſtates within the ſaid  
 Manor of *Wiſwell* for Life, or Lives, or Years determinable on  
 Lives, ſhall every of them, during the Continuance of their reſpec-  
 tive

Le ſholders  
 for Lives to  
 fence their  
 Allotments  
 and pay a Pro-  
 portion of the  
 Expences of the  
 Incloſure.

E

tive Leases, have, hold, and enjoy, the several Parts and Shares of the said Common or Waste Ground, that shall be allotted and set out to the Landlord or Landlords, or Owner or Owners, of the Freehold and Inheritance of such leasehold Tenements, for and in Respect of the same several Estates so held in Lease by them respectively, upon Condition only, that such Lessee or Lessees, Tenant or Tenants, do and shall well and sufficiently inclose, ditch, and fence out, the Shares of the said Common or Waste Ground, allotted to their respective Estates, within such Time as the said Commissioners, or any two of them, shall direct, and also do and shall pay his, her, or their, Part and Share, Parts and Shares, (in Proportion to their leasehold Interests therein respectively,) of all such Charges and Expences as aforesaid, to be settled by the said Commissioners, or any two of them, and the Reversioners shall and are hereby directed to pay the Residue of such Charges and Expences, for and in Respect of such Estate so in Lease respectively; and, if any of the said Lessees or Tenants of such leasehold Estate or Estates shall refuse or neglect well and sufficiently to inclose, ditch, and fence out, the several Parts and Shares of the said Common or Waste Ground, to be allotted for their several and respective Estates as aforesaid, or to pay their several and respective proportionable Parts and Shares, to be settled as hereinbefore is mentioned, of the Charges and Expences aforesaid, according to the true Intent and Meaning of this Act, then all such Parts and Shares of the said Common or Waste Ground shall go, revert, and remain unto, and be held and enjoyed by, the respective Proprietors or Owners of the Reversion of such leasehold Estates, in Respect of which the same shall be respectively allotted as aforesaid, freed and discharged from such leasehold Interest, according to their several Estates therein respectively, who are hereby directed, ordered, and authorised, to inclose, fence, and ditch, in, the same, within three Calendar Months next after such Neglect or Refusal, and to pay for the same the proportionable Part of such Charges and Expences to be settled as aforesaid.

Leases to Tenants for Years at a Rack Rent to be void.

And be it further enacted, That all and every subsisting Lease and Leases, or other Agreement on Rack Rent, of any of the Messuages, Lands, Tenements, or Hereditaments, hereinbefore mentioned, for any Term or Terms of Years, shall immediately, upon the making or perfecting the Allotments directed by this Act to be made as aforesaid, or as soon after as the said Commissioners, or any two of them, shall appoint, cease, determine, and be void, (in Case the Lessors and Lessees do not otherwise agree amongst themselves.)



themselves,) and so as the respective Owners or Proprietors of or in the said Premises, to be comprised in any such Lease or other Agreement on Rack Rent, do make such reasonable Satisfaction by Money, Payment, or otherwise, for any Loss which may be sustained by any such Lessee or Lessees, Tenant or Tenants, and within such Time as the said Commissioners, or any two of them, shall, by Writing under their Hands, order or direct.

And for the better enabling such of the said Proprietors as may have Occasion to raise Money to support their respective Shares of the Expences attending this Act, and the Expences of inclosing their respective Allotments, to borrow any reasonable Sum or Sums of Money for those Purposes, although they may be under any natural or legal Disability of making a proper Security for the same, and the Interest thereof; be it further enacted, That it shall and may be lawful to and for any Person or Persons, to whom any Allotment shall be made of any of the Lands and Grounds intended to be divided and inclosed as aforesaid, and to and for the Husbands, Guardians, Trustees, and Committees, of such of them as may be Women under Coverture, Minors, Idiots, Lunatics, or Persons beyond the Seas, or under any natural or legal Disability whatsoever, or for any Person acting as Guardian or Trustee for any Person under such Disability of acting for him or herself, and also to and for any of the said Proprietors being Tenants in Tail, or for Life, only from Time to Time, by Deed or Will, to charge the Lands and Grounds which shall be allotted unto them, the said Proprietors respectively, by Virtue and in Pursuance of this Act, with any Sum or Sums of Money not exceeding forty Shillings for each Statute-Acre of such Allotments respectively, or to borrow and take up at Interest any Sum or Sums of Money, not exceeding the like Rate of forty Shillings for each Statute-Acre of such Allotments respectively, and for securing the Repayment of any Money so to be borrowed with Interest, to grant, mortgage, lease, or demise, or otherwise subject the Lands and Grounds so to be allotted unto such Person or Persons as shall advance and lend such Money, his, her, and their respective Executors, Administrators, and Assigns, so as such Grant, Mortgage, Lease, or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust, to be surrendered when such Sum or Sums of Money, thereby to be secured with the Interest thereof, shall be fully satisfied and paid, and so as in such Grant or Demise, which shall be made by any Person or Persons interested in or intitled to any such mortgaged Premises for the Term of their

Power to borrow Money.



their natural Lives only, or by his, her, or their Guardian, or Guardians, Trustee or Trustees, Committee or Committees, there be contained a Covenant to pay and keep down the Interest of the said Money, to be thereby respectively secured during his, her, or their, respective Life or Lives; and that no Person, afterwards becoming possessed of any such Lands and Grounds, shall be subject and liable to pay any farther or larger Arrear of Interest, than for one Year preceding the Time when the Title to such Possession shall accrue and commence; and every such Charge, Grant, Mortgage, or Demise, of the said Lands, Grounds, and Premises, or any Part or Parts thereof so to be made in Pursuance of this Act, shall be good, valid, and effectual, in the Law, for the Purposes hereby intended, any Settlement, Deed, Will, Trust, or other Impediment or Incumbrance, of or concerning such Allotments respectively, to the contrary notwithstanding.

Mortgages  
may be assigned.

And be it further enacted, That all and every Person and Persons to whom any Mortgage shall be made by any Grant, Mortgage, or Demise, by Virtue of this Act, or who shall be intitled to the Money thereby secured, may from Time to Time, by Deed or Deeds executed in the Presence of two or more credible Witnesses, assign and transfer the same Security or Securities, or principal Money and Interest thereby secured, and all Benefit and Advantage thereof, and all their Estate and Interest in and to the same, unto any Person or Persons whomsoever, who may again, in like Manner, assign the same, and so toties quoties; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, and their, Executors and Administrators, and all Persons claiming under them respectively, shall and may take, use, and pursue, all such legal Methods and Expedients at Law and in Equity, for recovering and obtaining Possession of the Premises so to be mortgaged or assigned as aforesaid, in Case of Non-payment of the principal Money and Interest to be thereby secured, or any Part thereof, as is or are pursued in Case of Mortgages and Assignments of Estates in Fee Simple, or Terms for Years at the Common Law or in Equity.

Commissioners to keep Accounts.

And be it further enacted, That the said Commissioners, or any two of them, shall keep, or cause to be kept, a Book of Accounts, wherein shall be entered, by them, some, or one of them, or their Clerk or Clerks, a particular and distinct Account of all the Costs, Charges, and Expences, paid, laid out, and expended, by them, or any of them, in the Execution of this Act; and also the Charges and Expences of the said Commissioners and Surveyors for the Time of

of the Attendance of each Commissioner and Surveyor at each Meeting of the said Commissioners, or any two of them, or otherwise, in executing the Powers hereby vested in them respectively, together with an exact Account of all Moneys received by them in Pursuance of this Act, separately and distinctly, from Time to Time; which said Book of Accounts, and the Vouchers, shall and may be inspected, perused, and examined, by all or any of the Proprietors or their Agents, duly authorised, present at any Meeting or Meetings of the said Commissioners, or any two of them, and shall be completed and finished at or before the executing of the said Award, and signed by the said Commissioners, or any two of them, at the Time of signing of the said Award; but the said Book of Accounts shall not be deemed or taken to be Part of the said Award, but shall be deposited and kept in the Chest in the Vestry of the said Church, where one Part of the said Award is by this Act directed to be deposited as aforesaid, so that the same may be from Time to Time inspected, with or without the said Award, by all Persons interested therein, without any greater Fee or Gratuity than one Shilling to be paid on every Inspection thereof, to the Clerk of the said Parish, or such other Person, whose Business it shall be to produce the same.

And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by the Expences or Charges which shall appear by such Book to have been incurred in Relation to the Execution of this Act, such Person or Persons may appeal against the same, within the Time and in the Manner hereinafter directed as to other Appeals; and the Justices, before whom such Appeal shall be brought, are hereby authorised and impowered (if they see Cause) to take Cognizance thereof, and to hear and finally determine the same.

Proprietors may appeal to the Sessions against the Accounts.

And be it further enacted, That the said Proprietors shall pay their own Expences, and the Charges and Expences of their Agents and Attorneys, when they shall attend the said Commissioners at any of their Meetings, to be had for putting this Act in Execution.

Proprietors to pay their own Expences.

And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done in Pursuance of this Act, then, and in every such Case, (except in such Cases where the Orders and Determinations of the said Commissioners are directed to be final,) he, she, or they, may appeal to the General Quarter Sessions of the Peace, which shall be held by Adjournment at *Preston*, in and for the said County Palatine of *Lancaster*,

Appeal to the Sessions.

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*Lancaster*,



*Lancaster*, within Six Calendar Months next after the Cause of Complaint shall have arisen, and the Justices, in their said General Quarter Sessions, are hereby required to hear and determine the Matter of every such Appeal, and to make such Order 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 awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale, which Determination of the said Justices shall be final and conclusive to 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* or elsewhere.

Saving of  
Rights of the  
Lord of the  
Manor.

And be it further enacted, by the Authority aforesaid, That nothing herein contained shall extend or be construed to defeat, lessen, or prejudice, the Right, Title, or Interest, of the said *Thomas Weld*, or any future Lord or Lords of the said Manor of *Wifwell*, of, in, or to, the Seignories incident and belonging to the said Manor; but that the said *Thomas Weld*, and all and every Person and Persons claiming under him, or in Trust for him, as Lord of the said Manor, and all other succeeding Lords of the said Manor for the Time being, shall and may, from Time to Time and at all Times for ever hereafter, hold and enjoy all Rents, Services, Courts, Perquisites, and Profits of Courts, Deodands, Waifs, Estrays, and all other Royalties and manerial Jurisdictions whatsoever, in and upon the said Common or Waste Ground hereby intended to be inclosed as aforesaid, to the said Manor, or to the Lord or Lords thereof for the Time being, incident, appendant, belonging, or appertaining, (other than and except what are meant or intended to be abolished or altered and given up by this Act,) and in as full, ample, and beneficial, a Manner, to all Intents and Purposes, as the said *Thomas Weld* now holds and enjoys the same.

General Sav-  
ing.

Saving always to the KING's Most Excellent MAJESTY, His Heirs and Successors, and all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their, Successors, Heirs, Executors, and Administrators, (other than the several Proprietors and Persons to whom any Allotment or Allotments of any Part or Parts of the said Common or Waste Ground, so intended to be divided and inclosed as aforesaid, shall be made, in Pursuance of this Act, in Satisfaction of their Estate, Right, and Interest, therein, respectively,) all such Estate, Right, Title, and Interest,

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Interest, as they, every, or any of them had and enjoyed, of, into, or out of, the said Lands and Grounds, or any Part thereof, before the passing of this Act, or could or might have had and enjoyed, in Case the same had not been made; but no such other Person or Persons, Bodies Politic or Corporate, his, her, or their, Heirs, Successors, Executors, or Administrators, shall have Power to disturb any of the Allotments, to be made in Pursuance of this Act, in Lieu of the Lands, Rights, or other Interest, which he, she, or they, would have been intitled to in Case this Act had not been made.