

AN  
**ACT**  
 FOR

allotting, inclosing, and laying in severalty, the common and open fields, common meadows, commonable lands, commons, and waste grounds, within the Parish of Trumpington, in the county of Cambridge.

HEADINGS	TEXT	<i>Handwritten Comments</i>
Preamble.	<b>Whereas</b> there are within the Parish of Trumpington, in the county of Cambridge, certain old Inclosures, common and open fields, common meadows, commonable lands, commons, and waste grounds, containing together by estimation 2000 acres or thereabouts:	
	<b>And whereas</b> Francis Charles James Pemberton, Esquire, and Christopher Anstey, Esquire, are Lords of the several Manors within the said Parish of Trumpington; and the said Francis Charles James Pemberton, Christopher Anstey, the Master, Fellows, and Scholars of Jesus College, in the University of Cambridge, and diverse other persons, are seised and possessed of or otherwise interested in the said common and open fields, common meadows, commonable lands, commons, and waste grounds, lying within the said Parish: <b>And whereas</b> the Master, Fellows, and Scholars of the College of the holy and undivided Trinity in the town and University of Cambridge, of King Henry the Eighth's foundation, are the Impropiators of the Rectory of Trumpington aforesaid, and are also seised of the perpetual advowson, right of patronage and presentation of, in, and to the Vicarage of the said Parish of Trumpington; and the reverent Thomas Heckford, Clerk, is Vicar of Trumpington aforesaid; and the said Francis Charles James Pemberton, as lessee of the said Improprate Rectory for a term of years, is entitled to Glebe land, and to the Tythes of corn, grain, and hay of all the land within the said Parish which are liable to Tythes in kind:	
	<b>And whereas</b> by reason of the intermixed state of the property belonging to the respective owners thereof, the said common and open fields, common meadows, commonable lands, commons, and waste grounds, are not capable of being cultivated in the most profitable manner, and it would be highly beneficial to all parties concerned, if the said common and open fields, common meadows, commonable lands, commons, heaths, and waste grounds, were set out, divided, laid together, and allotted to and amongst the several proprietors and persons interested therein, in specific shares, in lieu	

	of their rights of Tythe, common rights, and all other rights, in, over, and upon the same: but as such Division and Allotment cannot be affected without the authority of Parliament;	
	May it therefore please your MAJESTY,	
	That it may be enacted; <b>and be it enacted</b> 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 and open fields, common meadows, commonable lands, commons, and waste grounds, shall be set out, divided, and allotted, by such Commissioners and in such manner, and under such powers and authorities, and subject to such rules, orders, and directions, as are hereinafter mentioned, expressed, and declared.	
	<b>And be it further enacted</b> , that Edward Hare, of Castor in the county of Northampton, gentleman, Joseph Truslove, of Cambridge in the said county of Cambridge, gentleman, and George Maxwell, of Fletton in the county of Huntingdon, gentleman, and their successors, to be elected in manner hereinafter mentioned, shall be and are hereby appointed Commissioners for putting this Act in execution; and that all acts, matters, and things done by any two of the said Commissioners named in or to be appointed by virtue of this Act, shall be to all intents and purposes binding and conclusive, equally valid and effectual, as if the same were transacted by all the Commissioners.	
Appointment of new Commissioners.	<b>And be it further enacted</b> , that in case any of the said Commissioners hereinbefore named or appointed, or to be appointed as hereinafter mentioned, shall, previous to the making and completing of such Division and Award as is hereinafter authorised and directed to be made and completed, die or refuse to act, or become incapable of acting as a Commissioner in the execution of this Act, a new Commissioner or Commissioners shall or may be nominated and appointed in manner following; (that is to say) if the said Edward Hare shall die or refuse to act, or become incapable of acting as aforesaid, the surviving or remaining Commissioners or Commissioner shall, as soon as conveniently may be, give notice in writing to the said Francis Charles James Pemberton, his heirs or assigns, and thereupon it shall be lawful for the said Francis Charles James Pemberton, his heirs or assigns, at any time within the space of 21 days after such notice, by any writing under his hand, to appoint one other Commissioner, not interested in the said division, in the room of the said Edward Hare, and so from time to time as often as any Commissioner so to be appointed by the said Francis Charles James Pemberton, his heirs or assigns as aforesaid, shall die, or refuse to act, or become incapable of acting as aforesaid; and if the said Joseph Truslove shall die or refuse to act, or become incapable of acting as aforesaid, or shall neglect to	

attend at any of the meetings to be held under this Act, except for reasons to be allowed by the said Master and eight of the resident senior Fellows of Trinity College aforesaid, the surviving or remaining Commissioners or Commissioner shall, as soon as conveniently may be, give notice thereof in writing to the senior bursar for the time being of Trinity College aforesaid, and whereupon it shall be lawful for the said Master and eight resident senior Fellows, in conjunction with the Vicar of Trumpington aforesaid for the Time being, by any writing under their hands, and the private seal of the said college used on such occasions, to appoint one other Commissioner, not interested in the said division, in the room of the said Joseph Truslove; and from time to time as often as any Commissioner to be appointed by the said Master and eight resident senior Fellows and Vicar shall die or refuse to act, or become incapable of acting, or neglect to attend as aforesaid; and if the said George Maxwell shall die or refuse to act or become incapable of acting as aforesaid, it shall be lawful for the major part in value of the other proprietors or persons interested in the lands and grounds directed by this Act to be divided, allotted, and inclosed, or for the known agent or attornies of any of them, who shall be present at a meeting to be held for that purpose at some place in Trumpington aforesaid, or some other convenient place, in pursuance of a notice to be given by the surviving or remaining Commissioners or Commissioner, in one or more newspaper published in Cambridge aforesaid, and in the Parish Church of Trumpington aforesaid, immediately after divine service, or affixed on the principal outer door of the said Church, at least 14 days before such meeting, by writing under their hands, to appoint one other Commissioner, not interested in the said division, in the room of the said George Maxwell, and so from time to time as often as any Commissioner to be appointed as last aforesaid shall die or refuse to act or become incapable of acting; and in case the said respective parties or any of them shall make default in appointing a new Commissioner are within the time or at such meeting respectively as aforesaid, it shall be lawful for the surviving or remaining Commissioners or Commissioner, and they and he are and is required, by writing under their hands or his hand, to appoint a new Commissioner not interested in the said Division or Inclosure, in the room of such Commissioner so dying refusing to act, or becoming incapable of acting as aforesaid; and that the several writings appointing such new Commissioner or Commissioners (if any) shall be annexed to and deposited with the Award hereinafter directed to be made by the said Commissioners; and every such new Commissioner, so to be appointed, having first taken and subscribed the oath herein directed to be taken and subscribed, shall have the like powers and authorities for putting this Act in execution, in all respects whatsoever, as the Commissioner in whose place he shall have been so appointed and chosen was invested by virtue of this Act.

Commissioners to take an oath.	<b>Provided always, and be it enacted,</b> that no person shall be capable of acting as a Commissioner in the execution of the power is given by this Act (unless it be the power hereby given of administering an oath or affirmation, or of giving notice of their first meeting, and of their intention to perambulate the Boundaries of the said Parish of Trumpington, and receive the claims of the several proprietors as hereinafter mentioned) until he shall have subscribed the oath or affirmation following: ( <i>videlicet</i> )	
	<p>“I do swear (or, being one of the people called Quakers, do affirm) that I will faithfully, impartially, and honestly, according to the best of my skill and judgement, execute the trust reposed in me, and hear and determine all such matters and things as shall be brought before me as a Commissioner by virtue of an Act for allotting, Inclosing, and laying in severalty, the common and open fields, common meadows, commonable lands, commons, and waste grounds, within the Parish of Trumpington, in the county of Cambridge.</p> <p>So help me God.”</p>	
Oath to be recorded.	Which oath it shall be lawful for any one of the said Commissioners to administer, and he is hereby required to administer the same to any other of the said Commissioners; and the said oath, so taken and subscribed by each Commissioner, shall be annexed to and inrolled with the Award hereinafter mentioned.	
Clerk to Commissioners.	<b>And be it further enacted,</b> that the said Commissioners shall have power and they are hereby authorised to appoint a Clerk to assist them in the execution of the powers of this Act, and such Clerk from time to time to remove and another to appoint as to them shall seem meet.	
<p>Notice of meetings.</p> <p>Power to adjourn.</p>	<b>And be it further enacted,</b> that the said Commissioners shall and they are hereby required to give notice in one or more of the newspapers published in Cambridge, and in the Parish Church of Trumpington, upon some Sunday immediately after divine service, or by writing affixed on the principal outer door of the said Church, of the time and place of their first meeting for executing the powers hereby vested in them, at least 21 days before such meeting; and shall in like manner also give at least six days notice of every subsequent meeting (meetings by adjournment only excepted); and the said Commissioners shall and may adjourn themselves from time to time as they shall see occasion for the due execution of this Act; and in case two Commissioners shall not meet at the time and place appointed for any meeting, or to which any meeting shall be adjourned, it shall be lawful for any one of the said Commissioners present at such time and place, and in the case no Commissioner shall attend, then for their Clerk to adjourn the said meeting, to be held on any future day; and the said Commissioner or Clerk making such	

	adjournment is hereby required to give due notice thereof to the absent Commissioners.	
Survey to be made;  and to be verified on oath.	<p><b>And</b> for the more just and a regular Division and Allotment of the lands and grounds, and for the better ascertaining the same, <b>be it further enacted</b>, that a survey or admeasurement shall be made of the said common and open fields, commonable lands, commons, and waste grounds, and also of the homesteads, homecloses, yards, gardens, orchards, and old Inclosures in Trumpington aforesaid, as soon as conveniently may be, by such person or persons as shall be appointed for that purpose by the said Commissioners, and such survey or admeasurement shall be reduced into writing, and the number of acres, roods, and perches, in statute measure, belonging to each proprietor, shall be set forth and ascertained therein, and such survey shall be laid before the said Commissioners, to be made use of at all or any of their meetings to be held in pursuance of this Act; and shall be verified by the oath or oaths, affirmation or affirmations of the Surveyor or Surveyors who shall have made the same, which oath or oaths, affirmation or affirmations the said Commissioners or any one of them are or is here by authorised and required to administer, and the same shall be in the words following: “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 judgement, and without favour or affection to any person or persons whomsoever, make a true, distinct, and perfect survey, admeasurement, map, and plan of the several common and open fields, commonable lands, commons, and waste grounds, and also of the homesteads, homecloses, yards, gardens, orchards, and old Inclosures in the Parish of Trumpington, in the county of Cambridge, and that I will reduce the same into writing, and therein set forth and ascertain the number of acres, roods, and perches, in statute measure, belonging to each proprietor thereof or person interested therein at the time of making such survey, admeasurement, map, and plan; and ascertain and stake out all the Allotments, and do all such other things as shall be required of me as a Surveyor for that purpose.</p> <p>So help me God. “</p>	
No Commissioner to act as Surveyor.	<b>Provided always</b> , that no Commissioner acting in the execution of the powers hereby given, shall be employed to act as a Surveyor by virtue of this Act.	
Power to enter to survey.	<b>And be it further enacted</b> , that for surveying and measuring the said lands and grounds hereby intended to be divided and making such Divisions and Allotments thereof as aforesaid, all and every the said Commissioners and their Clerk, and also the said Surveyor or Surveyors to be by them appointed, together with their and each of their agents and servants, and every of them, shall and they are hereby authorised and empowered, at any time or times whatsoever	

	<p>until the said Divisions and Allotments shall be completed, to enter, view and examine, survey and admeasure all and every part of the said lands and grounds so intended to be divided and allotted, and all the homesteads, homecloses, yards, gardens, orchards, old Inclosures, and other premises in Trumpington aforesaid, without being liable to any action or suit whatsoever for so doing.</p>	
<p>Former map or survey may be used.</p>	<p><b>Provided always,</b> that any map or survey already made or that may be made or begun upon previous to the first meeting of the said Commissioners, which shall be tendered to the said Commissioners, and verified upon oath or affirmation as aforesaid, and shall be in their judgement a just and true map or survey proper for the purpose of carrying any part of this Act into execution, may be used for the purposes aforesaid, if the said Commissioners shall think fit, without any new map or survey being made of such part of the said lands and grounds as shall be comprised in any such approved map.</p>	
<p>For ascertaining Boundaries.</p> <p>Notice of setting out Boundaries.</p>	<p><b>And whereas</b> disputes may arise between the inhabitants of the said Parish of Trumpington and the inhabitants of some adjoining Parish or Parishes, touching the Boundaries of their respective Parishes; <b>in order</b> therefore to determine all such disputes, <b>be it further enacted,</b> that the said Commissioners shall and they are hereby required to give 14 days notice in the respective Churches of the said Parish of Trumpington and such adjoining Parish or Parishes interested as aforesaid, upon some Sunday immediately after divine service, or by 14 days notice in writing affixed to the outer door of the said respective Churches and by inserting the same in one or more of the newspapers published in Cambridge or usually circulated in that part of the country, 21 days at the least before the time of setting out such Boundaries, of their intention to set out the same; and after the expiration of the time to be specified in such notice, they the said Commissioners are hereby authorised and required to enter into, ascertain, and fix the Boundaries of the said Parish of Trumpington; and the said Commissioners shall, within one calendar month after their ascertaining and setting out the said Boundaries, cause a description thereof to be inserted in one or more of the newspapers published in Cambridge, or some other newspaper usually circulated in that part of the country; and the said Boundaries, so ascertained and set out, shall and are hereby declared to be the Boundaries between the said Parish of Trumpington and the adjoining Parishes respectively, any law, usage, or custom to the contrary notwithstanding, and shall be binding, final, and conclusive upon the said Parishes respectively.</p>	
<p>Persons dissatisfied with the determination of the Commissioners,</p>	<p><b>Provided nevertheless,</b> that if any of the proprietors of estates or inhabitants of the said Parish of Trumpington, or of any adjoining Parish or Parishes interested as aforesaid, shall be dissatisfied with the determination of the said Commissioners in relation to their ascertaining and setting out the said Boundaries, and shall be desirous</p>	

<p>may try the same at law on a feigned issue.</p>	<p>of having the same enquired into and decided by a suit at law, and shall give notice in writing, under his, her, or their hand or hands, to any one of the said Commissioners, or their Clerk, of such desire, within 21 days after such description shall have been published as aforesaid, then and in such case, but not otherwise, it shall be lawful for such proprietors or inhabitants, or any of them, to have the same settled and determined by a trial at law, by an action to be brought by him or them against any person or persons in whose favour the determination of the said Commissioners shall be, upon a feigned issue, to be settled by the proper officer of the Court in which such action shall be brought, in case the parties differ about the same; and the defendant or defendants in such action is or are hereby required to appear, accept a declaration, and plead to issue; and the plaintiff or plaintiffs in such action shall proceed therein so as to have the same tried and determined at the first or second assize at the latest to be holden for the said county of Cambridge next after the determination of the said Commissioners, unless the Court shall see fit to grant further time; and after the trial the said Commissioners shall act in conformity to the verdict or verdicts thereupon given, and shall allow or disallow the claim or claims thereby determined according to the event of such trial; but in case no such trial at law shall be had or proceeded in as aforesaid, that then the determination of the said Commissioners touching the said Boundaries shall be binding, final, and conclusive.</p>	
<p>For shortening Boundary fences.</p>	<p><b>And whereas</b> it may shorten the Boundary fences between the lands lying in the said Parish of Trumpington and the lands lying in the Parish or Parishes adjoining thereto, if the Commissioners were empowered to cause such fences to be made, in such direction as they shall think most proper and convenient for shortening and making the same regular, <b>be it therefore enacted</b>, that it shall be lawful for the said Commissioners, with the consent in writing under the hand or hands of the major part in the value of the land owners in any Parish adjoining to the said Parish of Trumpington, and also under the hand or hands of the Lord or Lord, Lady or Ladies of the Manor or Manors in any such adjoining Parish or place, and of the owner or owners of the land upon which such fence or fences shall or may be intended to be made, to set out and ascertain the Boundary fences to be made between the said Parish of Trumpington and such adjoining Parish or place as they shall judge necessary for the purpose aforesaid, and after such Boundary fences shall be so set out and ascertained, the same shall be fenced in such manner, and at such time or times as the said Commissioners shall direct, and shall for ever thereafter be deemed and taken to be the Boundary fences between such Parishes, any law, usage, or custom to the contrary notwithstanding: provided nevertheless, that nothing herein contained shall authorise or empower the said Commissioners, for the purpose of shortening and making regular the said Boundary fences,</p>	

	<p>to add to or diminish the quantity of land in the said Parish of Trumpington, or in any Parish adjoining thereto, more than two statute acres.</p>	
<p>Claims to be delivered at first meeting of the Commissioners, except for some special cause to be allowed by the Commissioners.</p>	<p><b>And be it further enacted,</b> that all and every person and persons having or claiming to have any estate or interest, or any right of common, or other right or interest whatsoever, in, to, over, or upon the lands and grounds hereby directed to be divided and allotted, or any part thereof, shall by themselves, their guardians, trustees, or agents, and they are hereby respectively required, at the first meeting of the said Commissioners to be held in pursuance of this Act, to deliver In writing to the said Commissioners a true and just account of the messuages, cottages, buildings, lands, and tenements belonging to them respectively, describing the same, with the quantity of the freehold, copyhold, and leasehold parts thereof respectively, and the Manor or Manors whereof such copyhold part or parts are or is holden ; and also a true and just account of their respective claims, rights, and interests, in, to, over, or upon the said lands and grounds hereby directed to be divided and allotted, or any part or parts thereof; and that no such accounts or claims shall be received by the said Commissioners after such meeting, except for some special cause to be allowed by them; and all and every person and persons neglecting or refusing to deliver such accounts or claims, except for some special cause to be allowed as aforesaid, shall be and is and are hereby excluded and debarred from any right or interest whatsoever, in, to, over, or upon the said lands and grounds hereby directed to be divided and allotted.</p>	
<p>Commissioners to determine differences;</p> <p>And to examine witnesses.</p>	<p><b>And be it further enacted,</b> that in case any dispute or difference shall arise between the parties that now are or shall before the making the Award hereinafter mentioned be interested or claim to be interested in the said intended Division and Allotment, or any of them, touching or concerning the respective shares which they or any of them shall claim in the said lands and grounds hereby intended to be divided, allotted, and exchanged as aforesaid, or touching or concerning the respective shares and proportions which they or any of them ought to have, of or in the said intended Division and Allotment, it shall and may be lawful to and for the said Commissioners and they are hereby authorised and required by examination of witnesses upon oath or affirmation (which oath or affirmation the said Commissioners are hereby authorised and empowered to administer) or upon any other proof, enquiry, or evidence to the satisfaction of the said Commissioners, to hear and determine the same; and the determination of the said Commissioners shall be binding and conclusive upon all and every the parties interested in such Division and Allotment.</p>	

<p>But not to determine titles.</p>	<p><b>Provided always,</b> that nothing herein contained shall authorise or empower the said Commissioners to hear and determine any differences or disputes which may arise touching or concerning the title of any person or persons, bodies politic or corporate, sole or aggregate, lay or ecclesiastical, in or to the lands and grounds hereby intended to be divided and allotted as aforesaid, or any part thereof, or the Tythes issuing thereout.</p>	
<p>No differences respecting titles to delay the Division and Allotment.</p>	<p><b>Provided nevertheless,</b> that if before the said Division and Allotment shall be completed by virtue of this Act, any differences or disputes shall arise, and any suit or suits shall be commenced or prosecuted touching or concerning the title of any person or persons, bodies politic or corporate, in or to the lands and grounds hereby intended to be divided, allotted, inclosed, and laid in severalty, or any part thereof, or to the Tythes issuing thereout, such suit or suits shall not impede, delay, or hinder the said Commissioners from proceeding in the execution of the powers vested in them by this Act, but the said Division and Allotment shall be proceeded in notwithstanding such suit or suits; and the said Commissioners shall by meer stones, or other proper marks and bounds set out the lands and grounds which shall be allotted in lieu or in respect of such litigated property, so that it may be distinguished from other lands and grounds, and may be had and taken by the person or persons, bodies politic or corporate, who upon the determination of such difference or suit shall become entitled to the same.</p>	
<p>Power to summon witnesses.</p> <p>Witnesses may be fined for non-attendance.</p>	<p><b>And be it further enacted,</b> that it shall be lawful for the said Commissioners, and they are hereby required from time to time, as they shall see occasion, by writing under their hands, to summon and require any person or persons to appear before them at a day and place in such writing to be named, then and there to testify the truth touching any matter relative to the execution of this Act, and cause a true copy of such writing to be served upon such person or persons so summoned, or left at his, her, or their last or most usual place of abode; and every such person so summoned, who shall not appear before the said Commissioners pursuant to such summons, except for some reasonable excuse, or appearing shall refuse to be sworn or fully examined (the reasonable charge of his or her attendance, to be settled by the said Commissioners, being to him or her first paid or tendered) shall forfeit and pay any sum not exceeding £5 nor less than 40 shillings.</p>	
<p>Witnesses giving false evidence to be punished.</p>	<p><b>And be it further enacted,</b> that if any witness or witnesses who shall be examined by or before the said Commissioners, or by or before any Justice of the Peace, under or by virtue or authority of this Act, upon oath, shall wilfully give false evidence, and shall thereof be convicted, he, she, or they so giving false evidence shall be subject to the pains inflicted by law on persons guilty of wilful perjury.</p>	

Setting out roads.

**And be it further enacted,** that the said Commissioners shall, before they proceed to set out the Allotment hereby directed to be made, and they are hereby authorised and required, to set out and appoint all such public roads, highways, bridleways, and footways, in, over, upon and through, or by the sides of the lands and grounds hereby intended to be divided and inclosed, and also in, through, over, and upon any other lands and grounds within the said Parish, with the consent in writing of the owners and proprietors of such other lands and grounds, but not otherwise, as they shall think necessary and convenient; all which public roads and highways (except bridleways and footways) shall be and remain 40 feet broad at least between and exclusive of ditches; and the said Commissioners may and they are hereby authorised and required to appoint a Surveyor or Surveyors, with such salary as to them shall seem proper, for the first forming and putting into good repair the said public carriage roads; and the expense of such salary and of such first forming and repairing, which shall be incurred over and above the statute duty, shall be raised and paid in that like manner as the other costs and expenses of the said Act are hereinafter directed to be raised and paid, to the intent that the inhabitants of the said Parish of Trumpington (not being owners or proprietors of such lands and grounds) may not be charged or burthened with any part of the costs of first forming and repairing such public carriage road (other than the statute duty) until the same shall be made fit for the passage of travellers and carriages, and shall have been certified so to be by such Surveyor or Surveyors, by writing under his or their hand or hands, to be delivered to the Justices of the Peace at some Quarter Sessions of the Peace to be holden for the said county of Cambridge, and shall have been allowed and confirmed by them; which certificate shall be so delivered to the said Justices of the Peace at some Quarter Sessions of the Peace to be holden for the said county, after the said roads shall be formed and put into good and sufficient repair as aforesaid, within the space of two years next after the execution of the said Award of the said Commissioners, unless sufficient reason 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 empowered 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 or Surveyors shall neglect or refuse to deliver in such certificate within the time before limited, he or they shall forfeit and pay any sum not exceeding £20 nor less than £10, to be raised and levied by distress and sale of the goods and chattels of such Surveyor making such default as aforesaid, by warrant under the hand and seal of any Justice of the Peace of the said county, and which money when raised shall be applied towards defraying the expenses of carrying this Act into execution; and that after such certificate shall have been delivered to the said Justices as aforesaid, and shall have been allowed and confirmed by them, the said roads shall be from time to time kept in repair and supported in

This is frequently shamefully neglected and instead of being called upon to do it after the award should be one of their first acts.

	<p>such a manner as other public roads and highways are directed to be repaired by the laws of the realm; and the said Commissioners shall also set out such private roads as they may deem necessary, which with all such public roads and ways, ditches, drains, watercourses, bridges, gates, stiles, and other requisites as aforesaid, shall be made and from time to time be amended, cleansed, renewed, and kept in repair by such person or persons, and in such manner, as the said Commissioners shall award, order, and direct; and that it shall not be lawful for any person after such new ways and roads are set out, to use any other road or way, either public or private, in, over, upon, or through the said lands and grounds; and the grass and herbage growing and renewing in and upon all and every the public and private roads so to be set out and ascertained as aforesaid, shall be and for ever remain to and for the use and benefit of such person or persons as the said Commissioners shall by their Award order and appoint; and all former roads and ways which shall not be continued, set out, and ascertained as aforesaid, shall be deemed part of the lands and grounds to be divided and allotted pursuant to this Act; and that all such public carriage roads as aforesaid shall be well and sufficiently fenced out on both sides from the lands adjoining thereto, by such of the proprietors of the said lands and grounds, (other than and except the Impropiators or their lessee or lessees and Vicar for the time being as such) and within such time as the Commissioners shall direct and appoint; and that it shall not be lawful for any person to erect any gate across any part of the said public roads or to plant any timber trees in the hedges on the sides of any of the said last mentioned roads at a less distance from each other than 50 yards.</p>	
<p>Notice to be given of roads set out.</p>	<p><b>Provided nevertheless, and be it further enacted,</b> that the said Commissioners shall and they are hereby required to set out the said public carriage roads in such direction as shall appear to them most convenient for the public; and as soon as conveniently may be after they have set out and appointed the same, to cause the same to be marked and staked out, and to prepare a map thereof, in which the said public carriage roads shall be accurately laid down and described, and also of any public carriage roads in the said Parish of Trumpington (if any) intended by them to be stopped up; which said map shall be signed by the said Commissioners, and deposited with their Clerk; and the said Commissioners shall, as soon as conveniently may be after such carriage roads shall have been so set out, and the said map so deposited, give notice thereof in one or more of the newspapers usually circulated in that part of the country, and by writing affixed on the principal outer door of the respective Churches of Trumpington aforesaid, and of the several Parishes thereto adjoining, of their having set out such roads and deposited such map, and of the general lines of the said roads so set out, and also of the particular roads (if any) by them intended to be stopped up, and the said Commissioners shall at the same time give notice, at least 21 days before the</p>	

meeting, of a meeting to be held by them at some convenient place in or near Trumpington aforesaid, for the purpose of receiving any objections that may be made to any such public roads; at which meeting it shall be lawful for any person or persons who may think himself, herself, or themselves aggrieved, by the setting out or stopping up any such public roads, to attend and assent thereto; and in case any person or persons shall then object to the setting out or stopping up any such public roads, the said Commissioners shall and they are hereby required to hear such objections and determine the same, and likewise the objections of any other person or persons who may be dissatisfied with any alteration the said Commissioners shall, in consequence of the first objection, think proper to make, and shall, according to the best of their judgement under all the circumstances before them, order and direct how such public carriage roads shall be set out or stopped up, and either confirm the said map by signing the same again, or make such alterations therein as the case may require; and in case the said Commissioners shall make no alteration in consequence of such objection, then the person or persons who made the objection, or if any alteration shall be made, then any person or persons aggrieved thereby, shall and may appeal to some general Quarter Sessions of the Peace for the said county of Cambridge, within four calendar months next after such meeting of the said Commissioners, giving notice in writing to any one of the said Commissioners or their Clerk, of his, her, or their intention, and of the particulars of his, her, or their objection, and of the alterations by him, her, or them proposed to be made, within 10 days after such last-mentioned meeting, and within four days after such notice entering into a recognizance before some Justice of the Peace for the said county of Cambridge, with two sufficient sureties, in any sum not exceeding £50 nor less than £20, conditioned to try such appeal, and abide the order of, and to pay such costs as shall be awarded by the Justices at such Quarter Sessions; and the said Commissioners shall cause such last-mentioned notice to be inserted in the said newspapers, and also affixed to the outer door of the Church of Trumpington aforesaid, 14 days previous to the hearing of such appeal; and the said Commissioners or one of them, or their Clerk, or their Surveyor or Surveyors, shall attend at such Sessions and produce the map before mentioned; and the Justices at such Sessions, upon due proof of such last-mentioned notice having been given, and of the entering into such recognizance as aforesaid, shall, after hearing the evidence, finally determine whether the said public roads so appealed against shall continue as ordered and directed by the said Commissioner, or as proposed to be altered in the notice given by the appellant or appellants, but not otherwise, and shall Award such costs to either party as to them shall be expedient; and the 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 writ or process whatsoever, into any of his Majesty's Courts of

	<p>record at Westminster or elsewhere; but in case no such notice of an intention to appeal, with the cause thereof, shall be given as herein directed, or such recognizance shall not be entered into, or such appeal shall not be proceeded in as aforesaid, then such setting out or stopping up of the said public carriage roads by the said Commissioners as aforesaid, shall be final and conclusive to all person and persons, bodies politic and corporate.</p>	
<p>No Turnpike Road to be altered.</p>	<p><b>Provided always, and be it further enacted,</b> that nothing herein contained shall extend to give the said Commissioners power or authority to divert, change, or alter any Turnpike Road over the lands and grounds hereby intended to be allotted and inclosed, nor to render the same less than 30 feet broad from the centre thereof, where new fences are directed to be made.</p>	
<p>Roads dividing Parishes to be 40 feet broad.</p>	<p><b>Provided always,</b> that in case any public roads or highways shall be set out or continued in any situation or direction where the said Parish of Trumpington is divided from any adjoining Parish or place, or where there now is or usually hath been a public road or meer way, and such adjoining Parish or place hath heretofore been charged or liable to be charged with one half part of the repairs and support of the said road or way, then and in such case the said Commissioners shall and they are hereby authorised and required to set out 20 feet only, or so much land from and out of the said lands and grounds directed by this Act to be divided and allotted as will enlarge the breadth of such road or way to 40 feet at least.</p>	
<p>Unnecessary foot paths may be set aside.</p>	<p><b>And be it further enacted,</b> that if upon setting out the roads and footways as before mentioned, it shall appear to the said Commissioners, that any ancient footway or path in any inclosed grounds in the said Parish of Trumpington shall be unnecessary or inconvenient, it shall be lawful for the said Commissioners, and they are hereby authorised and required, to stop up or turn such ancient footway or path; and if it shall appear to the said Commissioners that any compensation ought to be made by the owner of any ancient inclosed lands, for whose accommodation any footway or path may be so stopped up or turned as aforesaid, it shall be lawful for the said Commissioners to order and direct the consideration money to be paid either to such person or persons as in their judgement shall and may be injured and incommoded by the stopping up or turning of such footway or path, or the said Commissioners shall receive the same and apply it towards the general purposes and expenses of this Act; and the said Commissioners are hereby directed to set forth in their Award or instrument hereinafter mentioned, a description of such footway or path so stopped up or turned; and that from and after the execution of the said Award or instrument, or at such earlier time as the Commissioners shall direct, such footway or path shall be and is hereby declared to be discontinued, and from thenceforth it</p>	

	shall not be lawful for any person or persons to make use of the same or any part thereof.	
Allotment for gravel.	<b>And be it further enacted</b> , that the said Commissioners shall and they are hereby required, before any Allotment or Allotments shall be made in pursuance of this Act, to set out, appoint, and allot a proper quantity or quantities, parcel or parcels of the lands and grounds hereby intended to be divided and allotted, not exceeding five acres, for stone, gravel, sand, and mortar pits, to be used in common by the inhabitants of the said Parish of Trumpington, as well for their private use as for making and repairing the public roads and ways so to be set out and appointed in the said Parish, which land shall be fenced in such manner and by or at the expense of such persons as the said Commissioners shall by their said Award order or direct; and such parcel or parcels of land shall be vested in the Surveyor or Surveyors of the highways of the said Parish of Trumpington for the time being, upon trust, and for the purposes hereinbefore for that purpose mentioned; and the herbage of such parcel or parcels of land shall be taken and enjoyed by such person or persons as the said Commissioners shall in their Award order and direct.	
Commissioners to make drains.	<b>And be it further enacted</b> , that the said Commissioners shall and may scour out and widen all such ancient brooks, ditches, drains, watercourses, tunnels, and bridges in the said Parish of Trumpington, and also shall and may set out and appoint such new ditches, drains, watercourses, tunnels, gates, banks, and bridges, as well in, through, and over the lands and grounds hereby intended to be allotted and divided, as also in, over, and through any ancient Inclosures within the said Parish of Trumpington (making such satisfaction to the proprietors of such ancient Inclosures for the damage done thereby as they shall think reasonable) of such depth and breadth, and in such directions as the said Commissioners shall think proper; and the said Commissioners shall and may, and they are hereby directed and required, in and by their said Award, to order and determine by whom, and at whose expense, and at what time, and in what manner, the said brooks, ditches, drains, watercourses, tunnels, gates, banks, and bridges shall be made, and afterwards cleansed, scoured, repaired, and maintained.	
Allotment for supporting banks of rivulets and drains.	<b>And be it further enacted</b> , that the said Commissioners shall, if it appears to them to be necessary, allot such part of the said commons of Trumpington aforesaid to the Lords of the Manors in Trumpington aforesaid, and Churchwardens and Overseers of the poor of Trumpington aforesaid, for the time being, in trust for the said Parish, as the said Commissioners shall deem of sufficient annual value, to support, maintain, and keep in good condition such part of the banks of the rivulets, brooks, and streams, and all ditches, drains, bridges, watercourses, and other requisites, as shall be deemed and declared by the said Commissioners to be public works; and the said Lords of	

	<p>the said Manors, Churchwardens, and Overseers, are hereby empowered and required to let by public auction the said Allotment of ground from time to time to the highest bidder for any term not exceeding five years at one time, for the highest rent that can be obtained for the same, and apply the produce thereof in manner before directed, and shall account for the said rent in like manner and at the same time as the poor's rates raised for the use of the said Parish of Trumpington are accounted for, and if there should be any balance in their hands upon the statement of such account, the same shall be forthwith applied by the said Overseers to the use of the poor of the said Parish.</p>	
<p>Allotment for right of soil.</p> <p>Lords of Manors may try their right.</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall set out and allot unto the Lord or Lords of the said Manor or Manors or onto such of them as is or are entitled to the soil of the said waste grounds, such part or parts of the lands and grounds hereby intended to be allotted and divided as in the judgement of the said Commissioners shall be a full equivalent and compensation for the right and interest or respective rights and interests of such Lord or Lords to the right of soil of such waste grounds, so as such Allotment or respective Allotments do not exceed in the whole one twentieth part in value of such waste grounds; but nothing herein contained shall preclude the Lord or Lords of the Manors aforesaid, or any of them, or any other person or persons, from trying their respective rights at common law or otherwise to any of the Manors aforesaid, or to any Allotment or Allotments that may be allotted and made by virtue of this Act, in lieu of and as a compensation for the soil of the said waste grounds hereby intended to be allotted to such Lord or Lords of the Manors aforesaid, or any of them.</p>	
<p>Allotments in lieu of Impropiators and Vicar's Glebe and rights of common.</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall and may, and they are hereby required, in the next place, to set out, allot, and award unto the said Impropiators and Vicar of the Parish of Trumpington aforesaid, and their respective successors, such respective parcels of the lands and grounds hereby intended and directed to be allotted and divided, as in the judgement of the said Commissioners shall be a full equivalent and compensation (quantity, quality, situation, and convenience considered) for the Glebe lands and rights of common respectively belonging to the said Impropiators and Vicar.</p>	
<p>Allotment in lieu of great and small Tythes in Trumpington.</p>	<p><b>And</b> in order to the making an adequate compensation to the said Impropiators and Vicar, and their respective successors, for the great and small Tythes arising and renewing within the said Parish of Trumpington, <b>be it further enacted,</b> that the said Commissioners shall, and they are hereby authorised and required, to set out and allot unto and for the said proprietors of Tythes respectively, for and in lieu of all Tythes both great and small, and all moduses, compositions or other payments in lieu of Tythes, and all other</p>	

	<p>ecclesiastical dues and payments whatsoever (except Easter offerings, mortuaries, and surplice fees) arising, growing, renewing, increasing, happening, or payable within the said Parish of Trumpington, and such part or parcels of the said lands and grounds hereby intended to be divided and allotted, as in the judgement of the said Commissioners shall be equal to one fifth part of all the open and common fields and old Inclosures in Trumpington aforesaid which have been used in tillage within nine years next before the passing of this Act, and to one eighth part of the residue of the lands and grounds lying within the said Parish of Trumpington, subject to the payment of great and small Tythes, and also equal in value to such modus, composition, or other payment, in lieu of Tythes as aforesaid, which shall remain after the public and private roads, sand, gravel, and mortar pits, and the Allotment (if any) for keeping in repair the public works of drainage, and after the Allotments for all Glebe lands and rights of common to the said Impropiators and Vicar, shall be set out or ascertained.</p>	
<p>Commissioners to subdivide the Allotment in lieu of great and small Tythes.</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall and they are hereby required to set out and allot to the said Thomas Heckford and his successes, Vicars as aforesaid, so much of the lands and grounds hereinbefore directed to be set out as a full compensation for the great and small Tythes, as the said Commissioners shall in their judgement deem to be a full compensation for the small or vicarial Tythes; and the residue of the lands and grounds to be allotted as aforesaid in lieu of great and small Tythes, the said Commissioners shall set out and allot to the said Master and Fellows of Trinity College, and their successors, and to the said Francis Charles James Pemberton, as their lessee as aforesaid, in full compensation for their respective rights and interests therein.</p>	<p>This proposition is generally stipulated but was in this case agreed by the vicar to be left to the commissioners.</p>
<p>Commissioners to allot to the Vicar 20 acres in a convenient situation.</p>	<p><b>Provided always, and be it further enacted,</b> that the said Commissioners shall and they are hereby required, in making the said Division and Allotment, to set out and allot unto the said Thomas Heckford and his successors, as Vicars as aforesaid, as part of the lands and grounds to be allotted to him and them in pursuance of this Act, not less than 20 acres of land, as convenient for the Vicarage house as the situation thereof and other circumstances will admit of.</p>	<p>Where the situation of the mansion of the Rector or Vicar admits of it, it is better to have the situation of 20 acres marked out as contiguous as possible and not leave it to the Commissioners.</p>
<p>A money payment to be made for the Tythes of the old Inclosures in certain cases.</p>	<p><b>And be it further enacted,</b> that in case there are any homesteads, gardens, orchards, homecloses, old Inclosures, or inclosed lands and grounds in the said Parish of Trumpington, subject or liable to the payment of Tythes in kind, or to any modus or other composition in lieu of Tythes, the respective proprietors whereof shall not happen to</p>	

	<p>be entitled to any or a sufficient specific Allotment (over and above the value of the common right to be included in the common pasture hereinafter provided for out of the lands and grounds hereby intended to be allotted and divided, to make compensation for the Tythes, or for any modus, rent, or compensation payable thereout in lieu of Tythes, such proprietors shall respectively pay or cause to be paid unto such person or persons, and at such time or times as the said Commissioners shall direct or appoint, such sum or sums of money as the said Commissioners shall adjudge and determine to be a full compensation and satisfaction for the Tythes or other payment in lieu thereof, issuing or payable out of such homesteads, gardens, orchards, homecloses, old Inclosures, and inclosed lands and grounds respectively, or for such part thereof for which a compensation in land cannot be made by the proprietor thereof as aforesaid; which sum or sums of money shall be applied towards payment of the charges and expenses of obtaining and passing this Act, and carrying the same into execution, and shall and may be raised, levied, and recovered in like manner as the charges and expenses of obtaining and passing this Act, and carrying the same into execution, are hereinafter directed to be raised, levied, and recovered.</p>	
<p>Tythes to Impropropriators and Vicar to be payable until Allotments are made.</p>	<p><b>And be it further enacted,</b> that until the said Division and Allotment shall be made, and the several Allotments shall be staked out in pursuance of this Act, the said Impropropriators and Vicar, and their successors, shall be entitled to and shall respectively receive and enjoy such and the same Tythes as they the said Impropropriators and Vicar could, might, or ought to have severally and respectively received, in case this Act had not passed.</p>	
<p>Allotments to Impropropriators and Vicar to be fenced by the other proprietors.</p>	<p><b>And be it further enacted,</b> that the parcel or parcels of land and ground so to be set out and allotted to and for the said Impropropriators and their said lessee, and unto the said Vicar, in respect of the Glebe land and rights of common, and in lieu of Tythes and other ecclesiastical dues and payments as aforesaid, shall be inclosed and fenced round with posts and rails, ditches, and quickset hedges, and other proper mounds and fences, at the expense of such of the proprietors of lands and grounds hereby intended to be allotted and divided as aforesaid, as the said Commissioners shall order and appoint; and the said Commissioners shall direct and appoint what part of the said ditches, mounds, and fences shall afterwards respectively belong to the said Impropropriators and Vicar, and their successors, and what part to any other proprietors; and the said ditches, mounds, and fences, when properly made, shall for the first seven years next after be maintained, supported, and scoured out, by and at the expense of such of the proprietors as shall contribute to the general expense of obtaining and carrying this Act into execution, or by the person or persons with whom the said Commissioners shall contract to do the public fencing; and from and after the expiration of</p>	<p>This is frequently shamefully executed and where is the remedy?</p>

	<p>the said term of seven years, such last mentioned ditches, mounds, and fences shall be maintained, supported, and scoured out, by and at the expense of the person or persons to whom the same shall be allotted and directed to belong as aforesaid.</p>	
<p>Commissioners to sell part of Allotments in lieu of Tythes, to erect buildings, &amp;c.</p>	<p><b>And be it further enacted</b>, that the said Commissioners shall and they are hereby required, by and with the consent and approbation of the said Impropiators, and their lessee or lessees, and of the said Vicar for the time being respectively, to raise, by the sale of so much of the Allotment to be set out to the said Impropiators and Vicar, such sum of money, not exceeding £1500, as shall in their judgement be sufficient to defray the costs and charges of making and erecting the buildings and subdivision fences hereinafter directed to be made and erected upon the said Allotment to the Impropiators and Vicar, and of purchasing the barns, outhouses, and other buildings hereinafter authorised to be purchased, and to defray the expenses relating to the said sales last hereby authorised to be made by the said Commissioners; such sale to be by public auction, after 20 days notice thereof in writing shall have been affixed upon the principal outer door of the said Parish Church of Trumpington, and advertised in one or more of the newspapers usually circulated in that part of the country; and the purchaser or purchasers at such auction shall, at the time of such sale, pay a deposit of one seventh part of the purchase money into the hands of the said Commissioners, and the remainder of such purchase money shall be paid to the said Commissioners at such time as shall be agreed upon between them and such purchaser or purchasers not exceeding six calendar months after such sale; and the receipt or receipts of the said Commissioners for the purchase money which shall be agreed to be paid for the land which shall be so sold, shall be a full and complete discharge or full and complete discharges to the purchaser or purchasers thereof, for the consideration money which shall be therein expressed to be received; and such purchaser or purchasers, after such receipt or receipts, shall not be obliged to see to the application of such purchase money, which shall be therein expressed to be received, or any part thereof, nor be answerable or accountable for the misapplication or non-application thereof, or of any part thereof; and in default of such payment, the money deposited as aforesaid shall be forfeited, and applied towards completing the sum of money to be raised as aforesaid, and the Allotment or Allotments to be so sold, shall be again put up for sale in manner aforesaid, and the money arising from the sale thereof, together with the sum of money so forfeited, shall be applied for the purposes aforesaid; and after payment of the full purchase money for any such Allotment or Allotments the purchaser or purchasers shall thereupon respectively have and take to himself, herself, or themselves, and his, her, or their respective heirs and assigns, an absolute estate of inheritance in fee simple of and in the land which shall be comprised in such his, her, or their respective</p>	<p>Second allotment to Impropiators 32. 3. 32 &amp; first allotment to Vicar 5. 0. 26 sold agreeably to this clause. The deed of conveyance dated 9<sup>th</sup> and 10<sup>th</sup> of May 1803 as appears from the award.</p>

	<p>purchase or purchases, and for which such consideration money shall be so paid as aforesaid, and the same shall be also conveyed unto the respective purchasers thereof; and a conveyance thereof by lease and release, made and executed by the said Commissioners, shall be valid and effectual in law to vest the same in such respective purchasers, their heirs and assigns.</p>	
<p>Application of monies to arise from such sale.</p>	<p><b>And be it further enacted</b>, that all and every sum and sums of money to be raised by such sales as last aforesaid, shall be applied by the said Commissioners in defraying the expenses relating to such sales, and in erecting such barns, outhouses, and other buildings, upon such parts of the lands and grounds hereby directed to be allotted to the said Impropiators, and to the said Vicar respectively, or in purchasing such barns, outhouses, and other buildings for the use of the said Impropiators and Vicar respectively, and in making and raising such interior and subdivision fences in and upon such Allotment or Allotments, as the said Commissioners shall judge necessary and proper for the occupation of the lands and grounds to be allotted in lieu of Tythes as aforesaid; and the said Commissioners shall in and by their Award, or by some separate instrument under their hands to be annexed thereto and inrolled therewith, specify the respective amount of the money expended for the purposes aforesaid on the Allotment or Allotments made to the said Impropiators and Vicar respectively; and in case any surplus of the money to arise from such sales shall remain in the hands of the said Commissioners after the said buildings shall have been erected or purchased, and the said fences shall have been made as aforesaid, and the expense of such sales shall have been paid, the amount of such surplus shall be paid into the Bank of England, in the name and with the privity of the Accountant General of the High Court of Chancery, to be placed to his account there, <i>ex parte</i> the said Master, Fellows, and Scholars, and their successors, and <i>ex parte</i> the said Vicar and his successors, or either of them, according as the case shall apply; and such surplus shall be applied and disposed of in the manner hereinafter directed respecting the money to be paid by the said Impropiators and Vicar, and their successors respectively, into the hands of the said Accountant General.</p>	<p>This is delegating a great power and as the Commissioners frequently do not attend to this business it is often very badly executed: had they permitted me to execute this clause I could have saved 25%.</p>
<p>Directing one fortieth part of the monies so raised to be repaid yearly by the Impropiators and Vicar.</p>	<p><b>And be it further enacted</b>, that the said Master, Fellows, and Scholars of Trinity College, and their successors, and the said Vicar and his successors, Vicars as aforesaid, shall respectively, at the end of every year, during the period of 40 years from the completion of such sales, pay into the Bank of England, in the name and with the privity of the Accountant General of the High Court of Chancery, to be placed to his account there, <i>ex parte</i> the said Master, Fellows, and Scholars, and their successors, and <i>ex parte</i> the said Vicar and his successors, one fortieth part of the respective sums expended on the Allotment or Allotments to the said Impropiators and Vicar, to be from time to</p>	

	<p>time by the said Accountant General laid out, together with the surplus money as before directed to be paid by the said Commissioners into the Bank, in the name of the said Accountant General, in the purchase of Navy or Victualling Bills, or Exchequer Bills; and the monies received for the same, as they shall be respectively paid off by government, shall be laid out, in the name of the said Accountant General, in the purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy or Victualling Bills, or Exchequer Bills, shall be deposited in the Bank in the name of the said Accountant General, and shall there remain until proper purchases shall be found and approved of by the Court of Chancery, as hereinafter mentioned; and the interest arising from the Navy or Victualling Bills, or Exchequer Bills, belonging to the said Master, Fellows, and Scholars, and their successors, shall from time to time, by the said Accountant General, be paid to the said Master, Fellows, and Scholars, and their successors, for their use and benefit; and the interest arising from the Navy or Victualling Bills, or Exchequer Bills, belonging to the said Vicar and his successors, shall in like manner be paid to the said Vicar and his successors, for his or their use and benefit.</p>	
<p>Monies to arise by such payments to be reinvested in land.</p>	<p><b>And be it further enacted,</b> that at the expiration of 40 years from the completion of such sales as aforesaid, the whole of the Navy or Victualling Bills, or Exchequer Bills, so purchased, belonging to the said Master, Fellows, and Scholars, and their successors, and to the said Vicar and his successors respectively, shall and may, upon a petition or petitions to be preferred to the said Court of Chancery in a summary way, be ordered to be sold by the said Accountant General; and the respective monies arising from such sales shall be laid out, under the direction of the said Court in the purchase of the freehold lands, tenements, and hereditaments, in that part of Great Britain called England, of a clear estate of inheritance in fee simple in possession, free from incumbrances (except fee farm or chief rents); and such part thereof as shall be purchased with the produce of the Navy or Victualling Bills, or Exchequer Bills, belonging to the said Master, Fellows, and Scholars, and their successors, shall, by virtue of this Act, from and after such purchase, be settled upon and invested in the said Master, Fellows, and Scholars, and their successors, for ever; and such part thereof as shall be purchased by the produce of the Navy or Victualling Bills, or Exchequer Bills, belonging to the said Vicar and his successors, shall, by virtue of this Act, from and after such purchase, be settled upon and vested in the said Vicar and his successors for ever.</p>	
<p>Allotment for a common pasture for owners of cottages</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall in the next place set out, allot, and award, as and for a common pasture, to be used and enjoyed as hereinafter mentioned, out of the lands and grounds hereby intended to be allotted and divided, such plot or plots</p>	

<p>entitled to right of common.</p>	<p>of land or ground as shall in the judgement of the said Commissioners be a full equivalent, satisfaction, and compensation for the rights of common of all the owners and proprietors of commonable messuages or cottages within the said Parish of Trumpington, not being farm houses, or the proprietors thereof shall not choose to have an Allotment of land in severalty in lieu thereof, as hereinafter is provided for; which said plot or plots of land shall be held, used, stocked, and enjoyed by such last mentioned owners or proprietors, and their respective tenants and occupiers of the said messuages and cottages, only as a common pasture, according and in proportion to their respective rights of common in and over the said Parish of Trumpington, as and shall be accepted, deemed, and taken to be in lieu and satisfaction of their several rights of common, for or in respect of such messuages or cottages in and over every other part of the lands and grounds hereby directed to be allotted and divided.</p>	
<p>Owners of cottages may, if they desire it, have Allotments in severalty.</p>	<p><b>Provided always, and be it further enacted,</b> that in case any such last-mentioned proprietors shall choose to have a distinct Allotment of land in lieu of the said last-mentioned common right or common rights, and shall give notice thereof in writing to the said Commissioners at any one of their meetings to be appointed by them for that purpose (of which they the said Commissioners shall give notice in like manner as they are hereinbefore directed to give notice of their first meeting under this Act) then the said Commissioners shall set out and allot to such proprietors respectively an Allotment or Allotments in land in lieu of his or their last-mentioned common right or common rights respectively, after deducting so much thereof as will be a compensation for the Tythes of the homesteads and old Inclosures belonging to such proprietor or proprietors respectively who shall not happen to be entitled to any other Allotment of land by virtue of this Act, and such proprietor or proprietors shall have no right of common or other interest in respect of his, her, or their, commonable messuages or cottages of which such Allotment or Allotments shall be made as aforesaid, in, over, or upon the said common pasture to be set out within the said Parish of Trumpington.</p>	
<p>Compensation shall be made for tofts.</p>	<p><b>Provided also,</b> that all tofts, foundations, or scites of ancient, commonable messuages or cottages, shall, upon proof thereof being made to the satisfaction of the said Commissioners, be considered and deemed as commonable messuages or cottages respectively, and that the respective owners thereof shall be entitled to the same compensation for the respective rights of common originally belonging thereto, as if such messuages or cottages had been still standing.</p>	
<p>Allotment to the other proprietors.</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall set out, allot, and award unto the several owners and proprietors thereof, and persons having right of common therein, all the then residue and remainder of the said lands and grounds hereby directed to be</p>	

	divided, allotted, and inclosed, in such quantities, shares, and proportions, and in such parcels and places as the said Commissioners shall adjudge and deem to be a just compensation and satisfaction for and equal to their several and respective lands, grounds, rights of common, and other their rights and interests therein, except such rights of common and other rights as shall have been compensated for in manner hereinbefore directed, subject nevertheless to the rules, orders, and directions herein mentioned and contained.	
Disposing of trees.	<b>And be it further enacted</b> , that all trees, thorns, and bushes growing upon the highways and waste lands shall and may be cut down or grubbed up and carried away by such of the said Lords of the said Manors as shall be entitled to the same, provided such cutting down, grubbing up, and carrying away, be done at seasonable time or times within the space of six calendar months next after the execution of the said Award; and that in case any other lands or grounds upon which any trees, thorns, hedges, or bushes shall at the time of making such Allotments be standing, growing, or being, shall be allotted or appointed to any person or persons other than such as was or were the proprietor or proprietors thereof at the time when and immediately before such Allotments are made, then and in such case it shall be lawful for such owners and proprietors thereof respectively, at any seasonable time or times to be appointed by the said Commissioners within the space of six calendar months next after such Allotments shall be made, to enter into and upon the lands and grounds upon which the said trees, thorns, hedges, or bushes shall be standing or being, and to fell, cut down, grub up, and with horses and carriages, or otherwise, to carry away the same, to and for his, her, or their own use and benefit, he, she, or they levelling all such grounds as shall be broken or dug up for the purpose aforesaid.	
Commissioners may direct hedges to be left as Boundary fences.	<b>Provided also</b> , that in case any hedges or fences shall be assigned or appointed by the said Commissioners as or for a Boundary fence to or for any of the Allotments to be made as aforesaid, all such hedges or fences shall be left for the benefit of such person or persons, bodies politic or corporate, to whom such Allotments shall belong, he, she, or they making such allowance to the former owners or proprietors of such hedges or fences respectively as the said Commissioners shall by writing under their hands order and direct.	
Allotting shares of fencing.	<b>And be it further enacted</b> , that the said Commissioners shall and they are hereby required to allot to every proprietor the share or proportion of public or private fencing to be done by them, or the future owner or owners of every respective Allotment; which share or proportion of fencing shall be specified in chains and links, and set forth in the Award hereinafter mentioned, and shall be binding, final, and conclusive; and the Commissioners shall also cause the same to be marked and delineated on the plan to be deposited with the said Award; and when any proprietor shall think proper to Inclose his or	

	<p>her Allotment, and shall have made the fence allotted to him or her, it shall be lawful for such proprietor to give notice in writing to the owner of the adjoining Allotment, or to the tenant of such estates as belong to bodies politic or corporate, who according to the said Award shall be obliged to make any share of the fencing necessary to the Inclosure so proposed to be made, to make so much of the fence as shall be allotted to him, and if he shall neglect or refuse to make the same for the space of three calendar months after having had such notice, the proprietor giving such notice as aforesaid may apply to any Justice of the Peace for the said county of Cambridge, not interested, who is hereby authorised and empowered to summon the party so neglecting to appear before him, and if he shall neglect or refuse to comply with the order of the said Justice for making the said fence for the space of one calendar month, it shall be lawful for the said Justice, by any order under his hand and seal, to authorise the proprietor requiring the fence to be made, to enter upon the land of the party so neglecting or refusing to make his fence, and to make use of any quantity of land not exceeding 12 feet in breadth, for the purpose of making the fence thereon, and the reasonable expense of making such fence shall be paid by the owner of the said last-mentioned land, and if he neglects or refuses to pay the same for the space of 14 days after the same shall be demanded in writing, the party having made the demand may apply to any Justice of the Peace for that said county, not interested, who is hereby authorised and required, by a warrant under his hand and seal, to order the expenses attending the making of such fence to be paid by such instalments and at such times as the said Justice shall order and direct; and in case the said instalments shall not be paid at the times appointed, it shall be lawful for the said Justice to levy from time to time the said instalments as they become due, by distress and sale of the goods and chattels of such proprietor so neglecting or refusing to pay the same, rendering from time to time the overplus (if any) to the owner or owners of such goods and chattels; and the said Commissioners are hereby authorised and required to order such compensation as they shall think proper to be paid by such of the proprietors as shall not have a proportionable share of fencing allotted to them, to such of the proprietors as shall have more than a proportionate share of fencing allotted to them; and such order or orders of the said Commissioners, as to such allowance or allowances, shall be binding, final, and conclusive, and recovered in such manner as other monies are directed to be recovered by this Act.</p>	
<p>Commissioners to fence a proportion of Allotment on neglect of proprietors.</p>	<p><b>And be it further enacted,</b> that if any person to whom any Allotment shall be made or any husband, guardian, trustee, committee, or attorney of any infant, lunatic, idiot, feme covert, charity or charities, persons beyond the seas, or otherwise incapable of acting for himself, herself, or themselves, or any tenant in tail or for life, or trustee or trustees for any settlement, or any mortgagee or mortgagees, or</p>	

	<p>other creditor in possession, shall refuse or neglect to accept and to inclose and fence in, or for, and to such extent as the said Commissioners by any writing under their hands or by their said Award, shall order and direct, it shall be lawful for the said Commissioners to cause such Allotment to be inclosed and fenced agreeably to the said writing or Award, and to let the same to any person or persons they may think proper, and to receive the rents and profits thereof, until such expenses are paid and satisfied, or to charge the expenses attending the fencing and inclosing thereof upon the proprietor or proprietors of the said Allotment, and by such writing as aforesaid, or by their said Award, to appoint to whom and at what time or times the same shall be paid, subject to the same mode for the recovery thereof as the other expenses of passing and carrying the same into execution, and which shall be binding, final, and conclusive.</p>	
<p>Power to fence before the execution of the Award.</p>	<p><b>And be it further enacted</b>, that it shall and may be lawful to and for any of the said proprietors, after their respective Allotments shall have been marked out, and the said Commissioners shall have sent notice thereof in writing to the said proprietors, notwithstanding the said Commissioners shall not have executed their Award, to fence and inclose the same in such manner and form as the said Commissioners in and by such notice shall order and direct.</p>	
<p>Power to guard fences.</p>	<p><b>And be it further enacted</b>, that it shall be lawful for the several and respective persons to whom any share or Allotment shall be assigned and allotted by virtue of this Act, from time to time and at all times during the term of seven years next after any fence shall be made, to set down and place posts and rails, or other proper fences, on the outside of the ditches or fences bounding their respective Allotments, not exceeding three feet from such ditches or fences, for the better preservation of the young quickset hedges, and to back ditch or trench such fences, by digging within three feet thereof, and from time to time during the said term to repair and take and carry away such posts and rails, or other fences, at his, her, or their free will and pleasure, except at such time when any crops of corn, grain, or hay shall be growing upon the land or ground whereon the same shall have been standing respectively.</p>	
<p>Gaps to be left in fences.</p>	<p><b>And be it further enacted</b>, that convenient gaps and openings shall be left in the fences and Inclosures for the passage of carts and carriages in and through the same for such space of time not exceeding six calendar months after the execution of the said Award, as the said Commissioners shall direct.</p>	
<p>Exchanges may be made.</p>	<p><b>And</b>, for the more convenient situation of the several farms, lands, and estates within the said Parish of Trumpington, <b>be it further enacted</b>, that it shall be lawful for the said Commissioners, and they are hereby authorised and empowered to assign, set out, allot, and award any messuages, buildings, lands, tenements, hereditaments,</p>	

	<p>new Allotments or old Inclosures, timber trees, hedges, or any other estate, interest, or property whatsoever, within the Parish of Trumpington aforesaid, in lieu or in exchange for any other buildings, lands, tenements, hereditaments, new Allotments, or old Inclosures, timber trees, hedges, or any other estate, interest, or property whatsoever, within the Parish of Trumpington aforesaid, or within any other Parish or township next adjoining thereto; so as all and every such Exchange and Exchanges as aforesaid be made, ascertained, specified, and declared in and by the said Award or instrument to be made and inrolled as hereinafter mentioned; and so as all and every such Exchange and Exchanges as aforesaid be made by and with the approbation and consent in writing of the respective owners or proprietors, or other person or persons seised, possessed of, or interested in the hereditaments and premises, which shall be so respectively exchanged as aforesaid, whether as tenants for life or in tail, or any other contingency, or of the guardians, trustees, husbands, committees, or attorneys, or persons acting as guardians, trustees, committees, or attorneys of or for any such proprietors or owners, or other persons respectively, who are under coverture, minors, lunatics, persons beyond the seas, or under any disability or incapacity of acting for themselves; and all Exchanges so made shall take place at such time or times certain or contingent as the said Commissioners shall order, direct, and appoint by their said Award as herein mentioned, or by any other instrument under their hands and seals, to be inrolled in the same manner and place as such their Award is hereby directed to be inrolled, and within two years after the date and execution of the said Award; and in case there shall be any tenants for life of any estate upon which any timber or timber-like trees shall be growing which shall be exchanged, and for which the party exchanging shall not have timber or timber-like trees of equal value to be given in lieu thereof, and such tenants for life shall be limited with impeachment of waste, the value of such trees shall be made up in land and added to such life estate; and all Exchanges so made shall be for ever good, valid, and effectual in law to all intents and purposes whatsoever, notwithstanding the interest of the persons and parties exchanging in the property so exchanged may be of a nature different from each other, and notwithstanding the want of sufficient title in the exchanging parties, or any will, settlement, limitation, or incumbrance, affecting the premises so exchanged: provided always, that no Exchange shall be made by virtue of this Act of any messuages, buildings, lands, tenements, or hereditaments, held in right or in respect of any Church or Chapel, without the consent in writing of the Lord Bishop of the diocese, and of the patrons of such Church or Chapel for the time being respectively.</p>	
<p>Power to make Partition.</p>	<p><b>And be it further enacted,</b> that it shall be lawful for the said Commissioners to make partition of any messuages, tenements, lands, or other hereditaments in the Parish of Trumpington aforesaid,</p>	

	<p>as well old Inclosures as land to be inclosed by virtue of this Act belonging to any person as coparceners, joint tenants, or tenants in common, so as every such Partition be made upon application from and by and with the consent and approbation of such coparceners, joint tenants, or tenants in common, to be signified in writing under their hands, or under the hands of the guardians, trustees, committee, or attornies duly authorised of such of the said proprietors and persons interested therein as are under coverture, minors, lunatics, or beyond the seas, or under any other disability or incapacity of acting for themselves, and be specified and declared in the Award of the said Commissioners, or by any instrument signed by them to be deposited with the said Award; and every such Partition so made as aforesaid shall be good, valid, and effectual in law to all intents and purposes, notwithstanding the want of title in any of the parties claiming to be proprietors of or interested in any messuages, tenements, lands, or other hereditaments so made partition of.</p>	
<p>Costs of making Exchanges and Partition, how to be paid.</p>	<p><b>Provided always, and be it further enacted,</b> that all costs, charges, and expenses attending the making and completing such Exchanges and Partitions as aforesaid, shall be paid and borne by the several persons making and completing such purchases, Exchanges, or Partitions, in such manner and in such proportion as the said Commissioners shall order and direct.</p>	
<p>Power to sell common rights separate from the property to which the same are appurtenant.</p>	<p><b>And be it further enacted,</b> that it shall and may be lawful to and for any of the proprietors or persons entitled to right of common upon any of the lands and grounds by virtue of this Act to be divided and inclosed, to sell any such rights of common separate from the property to which the same is or are appurtenant; and the said Commissioners (on receiving a request in writing, signed by the respective owners of the common rights so sold in the presence of one or more credible witness or witnesses) may award the Allotments to be made in lieu of such rights of common to the purchasers thereof respectively.</p>	
<p>Proprietors may sell before the execution of the Award.</p>	<p><b>And be it further enacted,</b> that it shall be lawful for any person who shall be entitled to, and seised in fee simple of, or who has or can by law require a power to dispose of any Allotments to be made by virtue of this Act, to sell and dispose of all his or her estate, right, title, and interest therein, at any time before the execution of the said Award, and on a proper conveyance thereof being executed, every such sale shall be good, valid, and effectual in law, notwithstanding the said Award may not be executed.</p>	
<p>Vacating leases at rack rent.</p>	<p><b>And be it further enacted,</b> that all and every lease or leases upon rack rent now subsisting of all and every or any part or parts of the said messuages or tenements, old Inclosures, lands, or grounds hereby intended to be divided and allotted, inclosed, and laid in severalty, or by virtue of this Act to be exchanged or exonerated from Tythes as</p>	

	<p>aforesaid, and all other agreement for any term or terms at rack rent, or from year to year, or at will, shall, at such time as the said Commissioners shall direct, cease and be void, the respective owners and proprietors of the premises so in lease making such satisfaction to such lessee or lessees, tenant or tenants, as the said respective owners and proprietors, and their lessee or lessees, tenant or tenants shall agree upon, or upon application in writing made by either party to the said Commissioners, then as the said Commissioners shall ascertain and direct or appoint to be paid to such lessee or lessees, tenant or tenants, an account thereof, or as an equivalent for the loss or losses he or they shall respectively suffer on account of the determination of the same, according to the directions of the said Commissioners, and which shall be binding, final, and conclusive to all parties.</p>	
<p>Not to vacate leases from bodies politic or corporate.</p>	<p><b>Provided always, and be it further enacted,</b> that nothing in this Act contained shall extend to set aside or make void any lease or leases from any bodies politic or corporate of any lands, Tythes, or hereditaments whatsoever in Trumpington aforesaid, to any person or persons whomsoever, but the person or persons entitled to such lease or leases shall and may hold and enjoy his or their several and respective Allotment for such lands, Tythes, and premises, for his and their several and respective terms, and under the same rents and covenants as is or are specified in his or their respective leases from the same bodies politic or corporate to him or them respectively.</p>	
<p>Reservation of Mr Rix's lease from Jesus College.</p>	<p><b>And whereas</b> Francis Rix, of Saint Neots in the county of Huntingdon, merchant, by virtue of an indenture of release bearing date the 29th day of June 1795, and granted to him by the Master, Fellows, and Scholars of Jesus College, in the said University, is beneficially possessed of, interested in, or entitled to certain pieces of arable land lying in the open fields of Trumpington aforesaid, for the residue of a term of 21 years, commencing from the 10th day of October 1794: <b>and whereas</b> it has been agreed between the said Master, Fellows, and Scholars of Jesus College and the said Francis Rix, that the whole expenses of obtaining this Act and of carrying the same into execution, so far as such expenses shall be charged upon the land held under such lease, and also the expenses of making and erecting such fences, gates, and stiles, as shall be necessary for the improvement of such last-mentioned land, shall be born and discharged by the said Francis Rix for the considerations hereafter mentioned, <b>be it therefore further enacted,</b> that the said Francis Rix shall exonerate and discharge the said Master, Fellows, and Scholars of Jesus College, and their successors, of and from all the expenses of obtaining this Act and of carrying the same into execution, so far as such expenses shall be charged upon the land so held under the said lease, and also from the expenses of making and erecting such fences, gates, and stiles, as shall be necessary for the improvement of the same; and that the said</p>	

	<p>Francis Rix, in consideration thereof, shall hold and enjoy the said last-mentioned land, subject to the covenants, conditions, provisos, and agreements contained in the said lease (except such of them as are by this Act rendered void) for the residue of the said term, until the said lease shall fall in due course of renewal; and that the said Master, Fellows, and Scholars of Jesus College, and their successors for the time being, shall, when the said lease comes in due course of renewal at the two next successive and usual periods of renewing the same after the passing of this Act, namely, on the 10th day of October 1801, and 10th day of October 1808, grant new leases to the said Francis Rix, his executors or administrators of the said last-mentioned land, or of the Allotment or Allotments to be made in lieu thereof by virtue of this Act, under the same rents and covenants (except such covenants as are by this Act rendered void) and upon payment of the same sum of money by way of fine as was paid upon the last renewal of the said lease, that is to say, the sum of thirty-one pounds ten shillings, and also the usual and customary charges and fees for preparing and sealing such new leases.</p>	
<p>Power for Vicar to grant leases.</p>	<p><b>And be it further enacted</b>, that it shall be lawful for the said Vicar and his successors, Vicars of Trumpington aforesaid for the time being (by and with the consent of the Lord Bishop of the diocese for the time being, testified by writing under his hand, and by and with the consent in writing of the Master and eight senior resident Fellows of Trinity College aforesaid, under their private seal) to grant any lease or leases to any person or persons whomsoever of the lands and grounds so to be allotted and awarded to him under and by virtue of this Act, or of any part or parts thereof, except the said 20 acres hereinbefore directed to be allotted to the said Vicar and his successors out of Hauxton Field aforesaid, for any term or number of years not exceeding 14 years, to be computed from the execution of the said Award; so as upon every such lease that be reserved and made payable during the continuance thereof the best and most improved rent that can be reasonably had for the same; and so as no fine or foregift be paid or contracted to be paid for the granting of any such lease or leases; and so as no such lease or leases be made dispunishable of waste; and so as the lessee or lessees to whom any such leases shall be made be obliged yearly to spend, spread, and consume, in an husbandlike manner, upon the premises so to be devised, all the manure arising from the produce thereof; and so as the rent or rents thereby to be reserved be made payable quarterly; and that power for re-entry for non-payment of such rent or rents, and such other usual and necessary powers and covenants contained therein as are usually inserted in leases of the like nature; and so as the lessee or lessees in every such lease do seal and deliver a counterpart of the same; and every such lease shall be good, valid,</p>	<p>This exception is always I believe part of this clause and is a very necessary one for the benefit of the next incumbent.</p>

	and effectual in the law to all intents and purposes, any law, usage, or custom to the contrary notwithstanding.	
Commissioners may direct the course of husbandry;	<p><b>And be it further enacted,</b> that in the mean time and until such Divisions and Allotments shall be made as aforesaid, all the pasture, tillage, or other lands hereby intended to be divided and inclosed, shall be stocked with such cattle, and sown by the respective owners or occupiers with such sort of corn, grain, or turnips, and shall be plowed, kept, ordered, and continued in such course of husbandry as the said Commissioners shall by any writing or writings under their hands order, direct, or appoint, any usage or custom for stocking, sowing, or plowing to the contrary notwithstanding; and if the order of the said Commissioners shall not be complied with, and any damage is sustained thereby, the Commissioners may recover from the offending parties such sum or sums of money as they shall deem reasonable, and to be recovered in like manner as the penalties herein and hereby directed to be recovered are recoverable; and that no meadow or pasture ground, part of the lands and grounds hereby intended to be divided, allotted, inclosed, and laid in severalty, and not now in tillage, shall be plowed, broken up, or converted into tillage, under the penalty of such sum as the said Commissioners shall fix, not exceeding £10 an acre, to be paid by the person or persons so breaking up or converting into tillage as aforesaid; and such penalty shall be recovered in like manner as other penalties are directed by this Act to be recovered; and also that it shall be lawful for the said Commissioners at any time hereafter when they in their judgement shall think convenient and necessary, by notice for that purpose under their hands to be affixed on the principal outer door of the Parish Church of Trumpington aforesaid, to suspend or totally extinguish all or any part of the right of common over the lands and grounds hereby intended to be divided and allotted; and after such notice given, all such right of common over the lands and grounds as by such notice or notices shall be directed or declared to be suspended or extinguished shall cease and be utterly extinguished or otherwise suspended for such time as the said Commissioners shall in and by such notice direct; and if after such suspension or extinguishment of such right of common any of the said proprietors or occupiers shall permit his or their cattle to go, depasture, or feed on any of the lands or grounds so exonerated from common, then it shall be lawful for any other of the proprietors or occupiers to distrain such cattle, being upon such lands or grounds contrary to such order, and to impound the same, until the person or persons so offending shall pay to the persons so distraining any sum not exceeding ten shillings nor less than five shillings for each of the cattle so distrained, over and above the actual damage done by such cattle, and the expense of keeping such distress.</p>	<p>The utility of this clause is doubtful – at least it is often much abused – or not properly applied – the farmers were permitted in this instance to hoard up their dung for two years previous to allotment to the great injury of the Tythes Allotment which was of course impoverished and no manure ready for it as the other Allotments – nor do the Commissioners consider this in their computation at all.</p>
and extinguish common rights.		
Recompense to be made to owners of	<p><b>And be it further enacted,</b> that it shall be lawful for the said Commissioners, and they are hereby required to settle and ascertain</p>	

<p>crops, for land not allotted to them.</p>	<p>what recompense shall be made or paid to the respective occupiers, whether owners or not, of any of the said open or common field arable land, for the value of any crop or crops, or for any clover or other layer of artificial grass, growing on any of the lands or grounds to be divided, allotted, inclosed, or exchanged, in pursuance or by virtue of this Act, or for any tillage, manure, or preparation for a crop or crops in any of the said lands respectively allotted, on which such crop or crops or layer of artificial grass shall be growing, or wherein such tillage, manure, or preparation shall be made or laid as aforesaid, and by writing or writings under their hands in that behalf, to order the payment of such recompense and satisfaction to be made as they shall deem reasonable, by the person or persons who shall have the benefit of such crops, or layer of artificial grass, or of such tillage, manure, or preparation, and in case such person or persons shall neglect or refuse to pay or make such recompense or satisfaction accordingly within the space of one calendar month after the same shall have been ordered and demanded, then it shall be lawful for the said Commissioners, and they are hereby required by warrant under their hands and seals directed to any person or persons whatsoever, to cause the same to be levied by distress and sale of the goods and chattels of such person or persons so refusing or neglecting to pay or make such recompense or satisfaction as aforesaid, rendering the overplus (if any) to such person or persons respectively, after deducting the costs and charges of taking and making every such distress and sale; and in case such distress cannot be taken as aforesaid, it shall be lawful for the said Commissioners, or any person authorised by them for that purpose, to enter into and upon such lands as aforesaid, or any part thereof, and receive the rent, issues, and profits thereof respectively, until thereby and therewith or otherwise the full amount of such recompense and satisfaction, and all costs, charges, and expenses occasioned by or attending such entry upon and receiving the rents and profits of the same premises shall be respectively fully paid and satisfied; which sum or sums of money so to be levied, received, or raised, shall (after discharging such costs, charges, and expenses as aforesaid) be applied in making such recompense and satisfaction to the person or persons to whom it shall belong as aforesaid, rendering the overplus (if any) on demand to the owner or proprietor, occupier or occupiers, or such other person or persons, as the case may be.</p>	
<p>For altering the course of rivulets.</p>	<p><b>And be it further enacted,</b> that it shall be lawful for the said Commissioners, and they are hereby empowered and required, by and with the consent of the persons interested, to alter and straighten the course of any rivulet, brook, or stream whatsoever running between the Parish of Trumpington and any adjoining Parish, township, or place, in such manner as they shall think proper, and to declare in and by the Award to be made by virtue of this Act, any such rivulet, brook, or stream, so altered or straightened as aforesaid, to be</p>	

	<p>the Boundary between the said Parishes, making such satisfaction to the owner or owners of the said land through which any cut shall be made, for altering such rivulet, brook, or stream, and other persons interested, as the said Commissioners shall think proper.</p>	
<p>Preventing the drains being obstructed.</p>	<p><b>And be it further enacted</b>, that if any person or persons shall at any time hereafter in any manner, either by throwing earth into, or otherwise obstruct any of the drains or watercourses, aqueducts or tunnels, to be made in or through any of the lands or grounds hereby intended to be divided, allotted, and inclosed, every person or persons so offending, and being thereof convicted before one or more Justice or Justices of the Peace for the county of Cambridge, who is hereby required to hear and determine the same on the oath of one or more credible witness or witnesses, shall for every offence forfeit and pay a sum not exceeding 40 shillings or less than 10 shillings more than the amount of the damage done, to be levied by distress and sale of the goods and chattels of every such offender, by warrant under the hand and seal or hands and seals of any one or more of the Justices before whom such conviction shall be made, one half thereof to be applied and laid out in the repairing, maintaining, and carrying on such drains and watercourses, and the other half thereof to go to the informer or informers; and for want of sufficient distress, such offender or offenders shall by the said Justice or Justices be committed to the House of Correction for the county of Cambridge, for any time not exceeding three calendar month nor less than one calendar month.</p>	
<p>Award.</p>	<p><b>And be it further enacted</b>, that as soon as conveniently may be after the said Commissioners shall have finished the Partitions and Allotments of the lands and grounds hereby intended to be divided and inclosed as aforesaid, pursuant to the purport and directions of this Act, they the said Commissioners shall form and draw up, or cause to be formed and drawn up, an Award or instrument in writing, which shall express and contain the quantity in statute measure of acres, roods, and perches, contained in the said open and common fields so intended to be divided and inclosed as aforesaid, and the quantity of each and every part and parcel thereof assigned and allotted to each of the proprietors entitled to or interested in the same; and a description of the situation, abbutals, and Boundaries of the same parcels and Allotments respectively, and also proper orders and directions for the fencing and mounding the said Allotments, and making and laying out proper roads, ways, and passages through, over, and upon the same; and also a particular account of all such ancient Inclosures and hereditaments as shall have been exchanged or discharged from Tythes by virtue of this Act, with an account of the quality, price, or value of all the new Allotments, old Inclosures, and hereditaments respectively within the said Parish, and all such other orders, regulations, and determinations, as shall be proper and</p>	<p>A very indefinite term – for in this instance the allotments were made at Michaelmas 1802 and the award is not made yet 1806.</p>

	<p>necessary to be inserted therein, conformably to the purport of this Act; which said Award shall be fairly ingrossed or written on parchment, and read over in the presence of the proprietors at a special general meeting to be held for that purpose, of which ten days notice, at least, shall be given in the newspaper called the Cambridge Chronicle and Journal, or in case the same shall not be at that time printed, then in some other newspaper printed or circulated in the said county, and shall be executed by the said Commissioners at such meeting; which execution shall be proclaimed the next Sunday in the Parish Church of Trumpington aforesaid, from which time only the said Award shall be considered as complete; and that said Award shall, within six calendar months next after the same shall be executed as aforesaid, or as soon after as conveniently may be, be inrolled with the Clerk of the Peace for the said county of Cambridge, or in one of his Majesty's Courts of record at Westminster, to the end that recourse may be had to the same from time to time by any person or persons interested in the said intended Division and Inclosure, for the inspection and perusal whereof the sum of one shilling and no more shall be paid; and a true copy thereof, or of any part thereof, signed by the said Clerk of the Peace or his deputy, or by the proper officer of the Court where the same shall be inrolled, purporting the same to be a true copy (which copy of the whole or any part of the said Award the said Clerk of the Peace or other proper officer is hereby required to make out and deliver at the request of any person or persons interested therein, and for which no more shall be paid than four pence per sheet, reckoning 72 words to each sheet, exclusive of paper or parchment, and stamps) shall at all times hereafter be admitted and allowed in all Courts of law and equity as legal evidence of the same; and the said Commissioners shall cause two reduced plans on vellum to be made of all the land, grounds, and hereditaments within the said Parish, one of which plans shall be annexed to the said Award, and the other to the inrolment thereof; and after the said Award shall have so been inrolled, the same shall be deposited and kept in the chest belonging to the Parish Church of Trumpington aforesaid, where the other writings belonging to the said Parish are usually kept, or in such other place as the said Commissioners shall direct, for the inspection of all persons interested therein; and the several Allotments and Exchanges, Partitions and Divisions, so made by the said Commissioners in and by such Award, shall and they are hereby declared to be binding and conclusive unto and upon all and every persons or person entitled to or interested in the said lands, grounds, and premises, so intended to be divided, inclosed, or exchanged as aforesaid.</p>	
<p>Allotments to be of the same tenure as the land in respect</p>	<p><b>And be it further enacted,</b> that all such lands and grounds or other hereditaments as shall be allotted to any of the said proprietors, or taken in exchange under or by virtue of this Act, shall be held by such proprietors or other person or persons respectively, under the same</p>	

<p>of which they are made.</p>	<p>tenures, rents, customs, and services, as the lands, hereditaments, and premises, in lieu or in respect of such Allotments or Exchanges shall be made, were respectively held and enjoyed at or immediately before the making such Allotments or Exchanges respectively; and the several lands, grounds, and other hereditaments which shall be allotted or taken in exchange in lieu of or in respect of freehold lands and hereditaments, shall from the making thereof be deemed freehold lands and hereditaments, and shall be held of the Lord of the fee, under the same rents and by the same services as the freehold lands and hereditaments in lieu of or for which they were so allotted or exchanged were theretofore held; and the several lands, grounds, tenements, and other hereditaments, which shall be allotted or taken in exchange in lieu of or in respect of copyhold or customary lands, grounds, tenements, or hereditaments, shall in like manner be deemed copyhold or customary lands, grounds, tenements, or hereditaments, and shall be held of the Lord or Lords, Lady or Ladies of the same Manor, under the same rents and by the same customs, duties, and services, as the copyhold or customary lands, tenements, or hereditaments, in lieu of which they were so allotted or taken in exchange, were or ought to be held and enjoyed in case this Act had not been made; and the lands, grounds, or other property which shall be allotted or taken in exchange in lieu of the leasehold lands or other property, shall in like manner be deemed leasehold, and shall be held for the same number of years, and under and subject to the same rents and conditions as the lands and other property in lieu whereof they were so allotted or exchanged, were held; and the reversion or remainder thereof shall be vested in the same persons respectively as the reversion or remainder of such other lands and property was vested in at and immediately before the making such Allotments or Exchanges respectively; and the said Commissioners shall in their said Award distinctly describe and ascertain the particular Allotments and parcels of ground in acres, roods, and perches, with the abbutals and Boundaries thereof, and the several and distinct messuages, lands, and tenements which shall severally and respectively be allotted and awarded or exchanged in lieu of freehold and copyhold messuages, lands, and tenements respectively, distinguishing the same in such manner that it may with certainty be known of what tenure every parcel of the new allotted lands or exchanged messuages, lands, or tenements, is and are from thenceforth to be.</p>	
<p>Wills or settlements not to be affected.</p>	<p><b>And be it further enacted,</b> that nothing in this Act contained shall extend or be construed to extend, or shall be deemed, adjudged, or taken to revoke, make void, alter, or annul any will or wills, settlement or settlements, or to prejudice any person or persons having any right or claim of dower, jointure, portion, debt, rent, or other incumbrance, out of, or in, upon, or affecting any of the lands or grounds so intended to be divided or inclosed as aforesaid, or which shall be exchanged or partitioned in pursuance of this Act, or any part or parts</p>	

	<p>thereof respectively; but that the several lands and grounds so to be assigned and allotted upon such Division and Inclosure to the several parties interested therein, or to their trustees respectively, and which shall be taken in exchange or upon partition in pursuance of this Act, shall immediately after such Allotment, Exchange, or Partition, be, remain, and enure, and the several persons to whom the same shall be assigned, allotted, or given in exchange or upon partition as aforesaid, shall from thenceforth stand and be seised of the same respectively, subject and liable to such and the same estate and estates, and subject to such and the same will and wills, power and powers, provisos, limitations, uses, trusts, intents, and purposes, charges, rents, and other incumbrances, as the several lands, tenements, and hereditaments, in respect or in lieu of which such Allotments, Exchanges, and Partitions shall have been made as aforesaid, now are, or should or would have been subject and liable to be charged with and affected by in case the same had remained uninclosed, unexchanged, or not partitioned, or this Act had not been made, except such leases at rack rent as are hereby made void, and subject nevertheless to such mortgages, charges, and other incumbrances as shall be made in pursuance and by the authority of this Act; any thing herein contained to the contrary notwithstanding.</p>	
<p>For accepting Allotments.</p>	<p><b>And be it further enacted,</b> that all and every person and persons, bodies politic or corporate, entitled to any part of the said intended Division and Allotment, shall and they are hereby required to accept his, her, or their respective Allotments and shares within such time as the said Commissioners shall by their said Award, or in the mean time by any other writing under their hands, to be fixed on the Church door of the said Parish Church of Trumpington, direct and appoint.</p>	
<p>Guardians, &amp;c. empowered to accept Allotments.</p> <p>Non-acceptance not to prejudice infants.</p>	<p><b>Provided always, and be it further enacted,</b> that the respective guardians, husbands, trustees, committees, or attornies for any person or persons, being minors, or otherwise incapable by law to accept any such Allotments as shall be made by virtue of this Act, shall be and they are hereby required and enabled to accept their offer for and to the use of such person or persons so incapacitated as aforesaid; and also that any person or persons entitled to any Allotment or Allotments as tenant or tenants for life or lives shall be and is and are hereby respectively enabled to accept of and take such Allotment or Allotments respectively, and every such acceptance respectively shall be and is and are hereby declared to be valid and effectual to all intents and purposes whatsoever: provided always, that the non-claim or non-acceptance of such guardian, husband, trustee, committee, or attorney, or any person acting as guardian, trustee, committee, or attorney, shall not exclude or anyways prejudice the right of any infant, lunatic, feme covert, or any other person or persons under any disability or incapacity aforesaid, who shall claim or accept such share or Allotment within six calendar</p>	

	<p>months after such disability or incapacity shall be removed, or of any person or persons dying under such incapacity or disability, who shall claim or accept within two years next after his, her, or their right, title, or interest shall have accrued, descended, or vested, or be known so to be, to the parties respectively.</p>	
<p>For punishing persons damaging fences.</p>	<p><b>And be it further enacted</b>, that in case any person or persons shall wilfully and unlawfully break down, destroy, carry away, or damage any gate, stile, post, rail, or other fence to be put up or placed under the authority of this Act, for the fencing or convenient occupying of the said several Allotments, every person so offending, and being thereof convicted before any Justice of the Peace for the said county of Cambridge, not interested in the premises, on the confession of the offender or offenders, or on proof of the offence on the oath of one or more credible witness or witnesses (which oath such Justice is hereby empowered to administer) every such person so offending shall for every such offence, notwithstanding he may be a proprietor or occupier of land within or an inhabitant of the said Parish of Trumpington, and notwithstanding he may be the owner of such gate, stile, post, rail, or other fence; and in case any such offender or offenders shall not immediately pay such penalty or penalties, or find securities to the satisfaction of such Justice for the payment thereof, at such future day as he shall think proper, it shall be lawful for such Justice to cause the same to be forthwith levied by distress and sale of the goods and chattels of the offender or offenders, by warrant under his hand and seal, returning the overplus (if any) to the owner or owners of such goods and chattels, after deducting the costs and charges of the distress and sale, one moiety of which penalty or penalties shall be paid to the owner or owners of such gate, stile, post, rail, or fence so broken, destroyed, or carried away, and the other moiety thereof shall go and be paid to the informer or informers; but if the owner of such gate, stile, post, rail, or fence, shall be the informer, or shall give evidence of the offence, then the whole of such penalty or penalties shall be paid to the Overseers of the poor of the said Parish, for the benefit of such poor; and for want of such distress such Justice or Justices shall and may commit the offender or offenders to the common Gaol or House of Correction for the said county of Cambridge, there to be kept to hard labour for any space of time not exceeding three calendar months.</p>	
<p>Gates may be erected across private roads.</p>	<p><b>And be it further enacted</b>, that the respective proprietors of the Inclosures to be made by virtue of this Act, shall have full power and liberty from time to time and at all times after the execution of the Award hereinbefore mentioned, to set up and continue a swing gate or swing gates across any part or parts of the said roads or ways (except public carriage roads) so to be made through his, her, or their Allotment or Allotments as aforesaid, or across any freeboard or meer way for keeping out cattle, and for the purpose of shutting up the</p>	

	<p>Allotments so to be made as aforesaid so as such gate or gates shall not prevent any person or persons with or without horses, cattle, or carriages, from passing or re-passing along such roads, or enjoying any other right, title, or property, which he, she, or they ought to have or enjoy in, upon, or over such roads, freeboard, or meer way.</p>	
<p>Power to borrow money.</p>	<p><b>And be it further enacted</b>, that it shall and may be lawful to and for any of the persons who after such Division and Inclosure to be made as aforesaid shall be owners and proprietors of any of the Allotments to be made in pursuance of this Act, or of any part thereof, and to and for the several owners and proprietors of any of the homesteads, gardens, orchards, or homecloses, which shall be exonerated from Tythes as aforesaid, and to and for the guardians, husbands, trustees, committees, or attornies of any of the said owners or proprietors, being an infant, lunatic, idiot, feme covert, persons beyond the seas, or otherwise incapable of acting for themselves, and to and for any such owners and proprietors being tenants in tail, or for life or lives, or for any number of years determinable on a life or lives, or other contingencies (except the Improprate Rectors of Trumpington aforesaid, and their successors, and the Vicar of the said Vicarage for the time being, and persons from whose Allotments a deduction shall be made as hereinafter mentioned) and to and for any of them respectively for the time being, by writing under their hands and seals, from time to time to charge the ancient Inclosures which shall be discharged from Tythes under this Act, and the lands and grounds which shall by virtue and in pursuance of this Act be assigned or allotted to or for them respectively, with any sum or sums of money not exceeding three pounds for every acre of land or ground so to be discharged of Tythes or allotted to them respectively, to be paid to such person or persons as the said Commissioners shall for that purpose nominate and appoint, in order to be applied and disposed of for or towards paying and defraying the respective shares and proportions of the charges and expenses incident to and attending the obtaining of this Act and carrying the same into execution; and for securing the repayment of the said sum or sums of money, with interest for the same, to grant a mortgage, lease, or demise for any term or number of years on such of the said lands so to be charged as shall be of the nature of freehold, and to surrender in fee such of the said lands so to be charged as shall be of the nature of copyhold unto such person or persons who shall advance and lend the same respectively; so that every such grant, demise, or surrender be made with a proviso or condition to cease and be void, or with 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 that every such surrender, grant, or demise to be made by every tenant for life or in tail, or for years determinable upon contingencies, do contain a proviso that the person entitled in remainder or reversion shall not be liable, on his or her becoming possessed of any</p>	

	<p>such lands or grounds, to pay any further or larger arrear of interest than for one year preceding the time when the title to such possession shall accrue and commence; or otherwise, at the request of any of the said proprietors, being tenants in tail or for life only, it shall be lawful for the said Commissioners, by writing under their hands and seals, to authorise and empower such proprietor or proprietors making such request, to charge the said lands or grounds, or any part or parts thereof, by the last will and testament of such person or persons as aforesaid, duly executed according to law, with any sum or sums of money not exceeding three pounds for every acre of the said lands and grounds, to be paid to such person or persons as such owner or proprietor thereof as aforesaid shall by such last will and testament direct and appoint; and that every such grant, charge, mortgage, lease, demise, surrender, or will, made in pursuance of this Act, shall be good, valid, and effectual in the law for the purposes thereby intended, and shall have priority in every respect to any other grant, charge, mortgage, or incumbrance already affecting the premises, notwithstanding the want of legal title, or any settlement, will, trust, use, remainder, limitation, or other incumbrance, of, upon, affecting, or concerning the same lands and grounds, or any part or parcel thereof, then in being or capable of taking effect to the contrary.</p>	
Expenses.	<p><b>And be it further enacted,</b> that each of the said Commissioners who shall act in the execution of the trusts and powers vested in them by this Act, shall be paid the sum of two guineas for every day he shall so act, or travel for the purpose of acting, or be returning home from acting, in full satisfaction for his trouble in the execution of the said trusts and powers; and that the same, together with all other charges and expenses of passing this Act, with lawful interest for the money advanced for the same, and all costs and charges that the said Commissioners shall be put unto in respect of any appeal or appeals against their decisions, or of any suit or suits at law or in equity that may be instituted against them as Commissioners in the execution of this Act (except as to the surplus money hereinafter directed to be returned to the said proprietors,) and the costs and charges of surveying, admeasuring, and planning, valuing, draining, dividing and allotting the lands and grounds so intended to be divided, allotted, and inclosed as aforesaid, and of surveying the said homesteads and ancient Inclosures, and of preparing and inrolling the said Award, and all other necessary charges and expenses in, about, and concerning the said premises, shall be borne and defrayed in a proportionable manner by all and every the proprietors and owners (other than and except the said Improprate Rectors and their lessee, and the said Vicar and his successors, in respect to the Allotments for Glebe and Tythes, and also except indigent cottagers, and the persons from whose Allotments a deduction shall be made as hereinafter mentioned;) the whole of such charges and expenses to be settled,</p>	

<p>Mode of recovering expenses.</p>	<p>adjusted, and determined by the said Commissioners; and the said Commissioners are hereby empowered and required from time to time to make and form estimates of all such costs, charges, and expenses, and to raise the amount of such estimates by a rate or rates at any time after the Allotments shall be staked out and confirmed, and from time to time as they shall deem necessary and proper; and in case any of the persons aforesaid shall neglect or refuse to pay his, her, or their shares or proportions of such estimates, and also the expenses of inclosing and fencing any Allotment or Allotments which the proprietors thereof may refuse or neglect to fence within the time to be limited by the said Commissioners, to such person or persons as they shall appoint to receive the same, notice of the time or place for paying the same being fixed on the door of the Parish Church of Trumpington aforesaid, at least one calendar month before the day appointed for payment thereof, the said Commissioners shall and may by warrant under their hands and seals, directed to any person or persons whomsoever, 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) on demand, to the owner or owners of such goods and chattels, after deducting the costs and charges of taking and making such distress and sale; or otherwise it shall and may be lawful to and for the said Commissioners, or any person or persons authorised by them, to enter in and upon the premises so to be allotted to such person or persons as they shall think proper, and receive and take the rent, issues, and profits thereof until thereby or therewith, or otherwise, the share or proportion, shares or proportions of the said estimates, with lawful interest for the same, to be computed from the time such sum of money shall be ordered to be paid, and also the costs, charges and expenses occasioned by or attending such entry upon, and receipt of the rents and profits of the said premises, shall respectively be fully paid and satisfied.</p>	
<p>Land may be deducted from Allotments for expenses for charitable estates.</p>	<p><b>And be it further enacted,</b> that it shall and may be lawful to and for the said Commissioners, if they shall judge it expedient, upon the request of the feoffees or trustees of any charitable use or trust, being the owners or proprietors of the lands and grounds hereby directed to be divided and inclosed, or of any part thereof, or of any common right or other interest therein, or of any homesteads, homecloses, or old Inclosures, to be exonerated from Tythes by virtue of this Act, to deduct from the value and amount of the Allotment or respective Allotments of such feoffees or trustees so much as in the judgement of the said Commissioners shall be equal to his, her, or their share and proportion or respective shares and proportions of such charges and expenses as aforesaid; and the lands so deducted shall be allotted to and divided amongst such of the other owners and proprietors, who shall be charged with and shall pay all such charges and expenses in proportion to the sums they shall respectively pay to contribute</p>	

	thereto; provided that every such request as aforesaid shall be made in writing and signed by the person or persons, or sealed by the body corporate, being an aggregate corporation, making the same.	
Money advanced on the credit of the Act to be repaid with interest.	<b>And be it further enacted,</b> that if any of the owners or proprietors of the said lands and grounds, or any other person or persons, shall advance any sum or sums of money for the purpose of defraying the expenses of applying for and obtaining this Act, or for carrying the same into execution, such owners or proprietors, or other person or persons respectively, shall be repaid the same, with interest after the rate of five pounds <i>per centum per annum</i> , out of the first monies that shall be raised by the said Commissioners In pursuance of the powers hereby given to them.	
For recovery of penalties.	<b>And be it further enacted,</b> that all penalties and forfeitures imposed by the Commissioners in and by any writing or writings under their hands as aforesaid, or in and by the said Award, the mode of levying and recovering whereof is not particularly directed by this Act, shall be levied and recovered in a summary way before any one Justice of the Peace for the said county of Cambridge, not interested in the matter in question, for which purpose it shall be lawful for any such Justice, upon complaint made to him, to summon the party or parties accused and the witnesses on both sides, and upon the appearance or contempt of the party or parties so accused, to examine such witnesses upon oath, which oath every such Justice is hereby empowered to administer, and upon such evidence to give judgement accordingly, and to condemn the party or parties (proof of the accusation being made by one or more witness or witnesses as aforesaid) in such penalties and forfeitures as he, she, or they shall have incurred, and to levy such penalties and forfeitures by distress and sale of his, her, or their goods and chattels, together with the reasonable costs; and all such penalties and forfeitures, the application whereof is not particularly directed by this Act, shall, when and as soon as the same shall be levied, be paid and applied to and for the uses, intents, and purposes of this Act, as the said Commissioners in and by such writing or writings as aforesaid, or in and by their Award, shall order, direct, or appoint.	
Books of account to be left with the Solicitor for the proprietors inspection.	<b>And be it further enacted,</b> that the said Commissioners shall and they are hereby required to enter in a book to be provided for that purpose, an account of all monies whatever received from the proprietors or others during the progress of the Inclosure, and also of all the charges, expenses, and disbursements which shall accrue or be made by virtue of this Act and carrying the same into execution; which book of accounts shall be kept, at the office of the Solicitor to the said Inclosure, open at all seasonable times during the progress of the said Inclosure, and till the accounts are finally settled, for the inspection of any of the proprietors, without fee or reward; and in case the said Commissioners or the said Solicitor shall neglect to provide and keep	

	<p>such book of account as aforesaid, or refuse the inspection thereof to any of the proprietors at reasonable times in manner before mentioned, and shall be convicted thereof upon the oath of one or more credible witness or witnesses not interested in the intended Division and Inclosure, before any Justice of the Peace for the said county of Cambridge, or of such other county or place where such Commissioner or Solicitor so offending shall be or reside, every such Commissioner or Solicitor so causing such neglect or refusal, and convicted as aforesaid, shall forfeit and pay for every such offence any sum not exceeding £10 nor less than £5; and if he or they shall make default in paying such sum for the space of 14 days next after such conviction, the same shall be levied by distress and sale of goods and chattels of the party or parties so offending, by warrant under the hand and seal of such Justice (which warrant such Justice is hereby empowered and required to grant) and the overplus, after such a penalty and the charges of such distress and sale are deducted, shall be returned, upon demand, unto the owner or owners of such goods and chattels, and the money arising by such forfeiture or penalty shall be paid and applied to or to the use of such proprietor or person interested making the complaint.</p>	
<p>Monies received, when amounting to £50 to be put in a banker's hands or such other persons as shall be approved by a majority of proprietors.</p>	<p><b>And be it further enacted,</b> that all the monies to be raised and received under and by virtue of the powers of this Act, during the progress of the intended Division and Inclosure, shall from time to time, as often as the same shall amount to the sum of £50, be paid to and deposited in the hands of some banker, or such other person or persons as shall be approved of by a majority in value of the proprietors who shall be present at the first meeting of the said Commissioners, and in the notice of which meeting shall be expressed the intention of then appointing such banker, or such other person or persons; and no such monies deposited or paid into the hands of such banker, or other person or persons to be appointed as aforesaid, shall be issued or paid by him or them without an order in writing under the hands of the said Commissioners, specifying the person or persons to whom the same are respectively payable, and the service or consideration for which the same are due; and that the balance (if any) upon the final settlement of all accounts in anywise concerning the business of the said intended Division and Inclosure, be immediately repaid and returned to the several proprietors or persons interested, in proportion to the several sums respectively paid and advanced by them: provided always, that the said Commissioners shall not be answerable for any part of the said money, so long as it shall remain in the hands of the said banker or other person, nor shall any of the said Commissioners be answerable for any money, unless he shall have previously joined in signing the order for payment of the same.</p>	

<p>Commissioners to deliver to proprietors their accounts at the time of signing their Award, who may finally settle the same.</p>	<p><b>And be it further enacted,</b> that the said Commissioners shall and they are hereby required, at or before the time of signing and executing their said Award, to deliver to the said proprietors, or such a person or persons as they or the major part of them in value shall appoint to receive the same, an account in writing of all monies by them the said Commissioners from time to time assessed, received, and laid out, in, about, or concerning the said Division and Inclosure; which accounts the said proprietors, or the major part of them in value, shall and may and they are hereby authorised and empowered, if they think proper so to do, finally to settle, pass, and allow; and such allowance of the said proprietors shall be binding and conclusive to all parties concerned.</p>	
<p>Persons aggrieved may appeal to the Sessions.</p>	<p><b>And be it further enacted,</b> that if any person or persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, then and in such case (except in such cases where the order and determinations of the said Commissioners are directed to be final, binding, and conclusive upon all parties, or any other mode of relief is appointed) he, she, or they may appeal to any general Quarter Sessions of the Peace which shall be held for the said county of Cambridge within four calendar months next after the cause of complaint shall have arisen; and the Justices at the said general Quarter Sessions are hereby required to hear and determine the matter of every such appeal, and to make such orders therein, and award such costs, as to them in their discretion shall seem reasonable, and by their orders or warrants to levy the costs which shall be so awarded by distress and sale of the goods and chattels of the party or parties liable to pay the same, rendering the overplus (if any) to the owner or owners of such goods and chattels, after deducting the reasonable charges of such distress and sale.</p>	
<p>Saving of manorial rights.</p>	<p><b>And be it further enacted,</b> that nothing in this Act contained shall prejudice, lessen, or defeat the right or interest of the Lords of the said Manors for the time being, of, in, and to the seigniories or royalties incident or belonging to the said Manors; but that the said Lords shall and may from time to time and at all times hold and enjoy all rents, services, and profits of Courts, and all other rights, royalties, and privileges to the said Manors incident, appendant, belonging, or appertaining (other than and except the right of soil of the said waste land) in as full, ample, and beneficial manner, to all intents and purposes, as he or they might or ought to have held or enjoyed the same before the passing this Act, or in case the same had not been made.</p>	
<p>General saving.</p>	<p><b>Saving always</b> to the King's most excellent Majesty, his heirs and successors, and to all and every other person and persons, bodies politic and corporate, his, her, and their respective heirs, successors, executors, and administrators (other than and except such person or persons to whom any Allotment or Allotments shall be made by virtue</p>	

	<p>of this Act) or such estate, right, title, and interest (other than and except such as are hereby intended to be barred and destroyed) as they, every, or any of them may have had and enjoyed, in, to, or out of the said open and common fields, lands and grounds, so intended to be divided and inclosed, at any time before the passing of this Act, or could or might have had and enjoyed in case this Act had not been made.</p>	
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