

THE

Statutes at Large,

From the Sixteenth Year of the Reign of

KING *GEORGE* the THIRD

To the Twentieth Year of the Reign of

KING *GEORGE* the THIRD, inclusive.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private
Statutes. during that Time

With a COPIOUS INDEX.

VOLUME the THIRTEENTH.



L O N D O N :

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MDCCLXXX.

C A P. XVII.

An Act for dividing the Chase of *Enfield*, in the County of *Middlesex*; and for other Purposes therein mentioned.

Preamble.

Rights of Parishes.

Claim of Trinity College, Cambridge, to Great Tythes;

and of the Vicar of Enfield to Small Tythes.

WHEREAS the King's most excellent Majesty is seized to himself, his Heirs and Successors, in Fee-simple, of the Chase of *Enfield*, lying within the Parish of *Enfield*, in the County of *Middlesex*, being Parcel of the Estates and Possessions of the Duchy of *Lancaster*, subject nevertheless to such Right of Common, and other Rights, as the Freeholders and Copyholders of Messuages, Lands, and Tenements, situate and being within the several Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, in the said County of *Middlesex*, or the Tenants and Occupiers thereof for the Time being, are intitled unto, within and upon the said Chase: And whereas the Master, Fellows, and Scholars of *Trinity College* in the University of *Cambridge* are Patrons of the Vicarage of *Enfield* aforesaid, and also Owners of all impropriate and rectorial Tythes arising within the same Parish, and as such are intitled to all Great Tythes arising or to arise within the said Chase: And whereas *Theodosia Crowley* Widow, as Trustee for the Right Honourable *Wilma* Earl of *Lisburne* in the Kingdom of *Ireland*, is Lessee to the said Master, Fellows, and Scholars, of all the Great Tythes within the said Parish: And whereas the Reverend *Richard Newbon* Clerk Bachelor in Divinity, is the present Vicar of the said Parish of *Enfield*, and, by virtue thereof, is intitled to all Vicarial Tythes and Dues within the said Chase: And whereas the said Chase, in its present State, yields very little Profit or Advantage either to the King's Majesty, or to the said Freeholders and Copyholders, or their Tenants, in Comparison of what it might do,

do, if the same was divided and improved: And whereas, with a View to such Division, an accurate Survey, Admeasurement, and Plan of the said Chase, with a Table of References thereto, have been lately made and taken, whereby it appears, that the said Chase contained eight thousand three hundred and forty-nine Acres, one Rood, and thirty Perches, or thereabouts, including the several Lodges and Incroachments thereon: And whereas, upon Consideration had of the Rights of the King's Majesty, and of the Parties interested, it appears, that the several Portions or Allotments, herein-after assigned to and for the Benefit of the said Freeholders and Copyholders, and their Tenants and Lessees, will be a full and adequate Compensation for all their Rights and Interests within and upon the said Chase: And that the several Allotments, herein-after assigned to the Owners of Tythes of the said Parish of *Enfield*, will be a fair and adequate Compensation for the Tythes of all such Parts of the said Chase as are herein-after particularly mentioned, and intended to be exonerated therefrom: All which said several Allotments are set out upon the said Chase with Stakes, or other Marks or Mounds; and are also described and delineated on the aforesaid Survey or Plan of the said Chase: And whereas the setting out and allotting to the said Freeholders and Copyholders, their Tenants and Lessees, such respective Shares and Proportions, of the said Chase as aforesaid, in Satisfaction and Discharge of all their Rights and Interests upon the said Chase; and also the setting out and assigning to the said Owners of Tythes, such Portions or Allotments as aforesaid, and the dividing and separating the said several Portions and Allotments from each other, and from the Residue of the said Chase, herein-after assigned to the King's Majesty, his Heirs and Successors, will be a Means of accelerating the Cultivation of the said Chase, which, by the Goodness of its Soil, and its Vicinity to the Metropolis, will be of public Utility, and of Benefit to all Persons interested therein: But forasmuch as such Division cannot be effectually made and established without the Aid of Parliament; May it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that Portion or Allotment of Land within, and Part of, and set out upon the said Chase, and described and distinguished by blue Lines from the Residue of the said Chase, on the said Survey or Plan thereof, as *The Enfield Allotment*, containing one thousand seven hundred and thirty-two Acres, two Roods, and six Perches; abutting, on the North Part thereof, upon *Theobald's Park* and *Northaw Common*; on the South Part thereof, upon *Enfield Old Park*, and on the Allotment herein-after assigned to the Owner of the said Park, and on the *Edmonton* Allotment; on the East Part thereof, upon divers Inclosures within the Parish of *Enfield*; and on the West Part thereof, upon the Tythe Allotments, *East Lodge Farm*, and the King's Allotment; together with all Incroachments, Timber Trees and other Trees, Tellers and Saplings thereon, (save only and except such Oak and Beech Trees as have been already marked up and sold, standing upon a certain Part of the said Allotment, lying to the North of the Gutter or Brook running into *New Pond* and North of *East Lodge Farm*, which Part containeth two hundred Acres) shall, from and after the passing of this Act, become, and the same shall from thenceforth be and remain vested in the Churchwardens of the said Parish of *Enfield* for the Time being, and their Successors for ever, in Trust for, and for the sole Benefit of the Owners and Proprietors of Freehold and Copyhold Messuages, Lands, and Tenements, within the Parish of *Enfield*, their Heirs and Assigns, and their Lessees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the said Chase, according to their several Estates and Interests therein.

Survey made,
and Plan taken.
Quantity of
Land.
The Scheme of
Division.

Allotment to
Enfield.

II. And be it further enacted, That all that Portion or Allotment of Land within, and Part of, and set out upon the said Chase, and described and distinguished on the said Survey or Plan thereof by Words and Green Lines from the Residue of the said Chase, as *The Edmonton Allotment*, containing one thousand two hundred and thirty-one Acres, two Roods, and six Perches; abutting, on the North and West Parts thereof, upon the King's Allotment; further North, upon the *South Lodge Farm*, the Tythe Allotments, and *Enfield* Allotment; further West, upon Inclosures in the Parish of *East Barnet*; and on the South Part thereof, upon the Township or Village of *Southgate*, and divers Inclosures in the said Parish of *Edmonton*; and on the East Part thereof, upon *Enfield Old Park*, and upon the Allotment herein-after assigned to the Owner of the said Park; and all Incroachments thereon, and also all Timber Trees, Woods, and Underwoods standing on the several Parts of the said Allotment herein-after described, (that is to say) on that Part which lieth South and South-west of *Hounsdon Gutter*, and on those Parts of the said Allotment which about Westward on a Visto or Line cut or staked out from *Winchmore-hill Gate* to the *South Lodge* Inclosure, Eastward on *Enfield Old Park*, and Northward on the *Enfield* Allotment, shall, from and after the passing of this Act, become, and the same shall from thenceforth be and remain vested in the Churchwardens of the said Parish of *Edmonton* for the Time being, and their Successors for ever, in Trust for, and for the sole Benefit of the Owners and Proprietors of Freehold and Copyhold Messuages, Lands, and Tenements, within the said Parish of *Edmonton*, their Heirs and Assigns, and their Lessees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the said Chase, according to their several Estates and Interests therein.

Allotment to
Edmonton.

III. And be it further enacted, That all that Portion or Allotment of Land within, and Part of, and set out upon the said Chase, and described and distinguished on the said Survey or Plan thereof by Words and Yellow Lines from the Rest of the said Chase, as *The South Mimms Allotment*, containing one thousand and twenty-six Acres and three Perches; abutting, on the North Part thereof, upon the Highway leading from the North End of *Potter's Bar* to the *Great Hook-gate*; on the South Part thereof, upon the Allotments herein-after assigned to the Incumbent of the Parish of *Monken Hadley*, and to the Owner of the Manor of *Old Fold*; on the East Part thereof, upon the King's Allotment; and on the West Part thereof, upon divers Inclosures and Waste Lands within the Parish of *South Mimms*; and all Incroachments thereon, together with all such Timber and other Trees, Woods and Underwoods, as stand on that Part of the said Allotment which lieth South of the Road leading from *West Lodge* to *Potter's Bar*, shall, from and

Allotment to
South Mimms.

and after the passing of this Act, become, and the same shall from thenceforth be and remain vested in the Churchwardens of the said Parish of *South Mimms* for the Time being, and their Successors for ever, in Trust for, and for the sole Benefit of the Owners and Proprietors of Freehold and Copyhold Messuages, Lands, and Tenements, within the said Parish of *South Mimms*, their Heirs and Assigns, and their Lessees, Tenants, and Undertenants for the Time being, intitled to a Right of Common, or other Rights within the said Chase, according to their several Estates and Interests therein, until the same shall be set out into specific Shares and Allotments, in Manner herein-after provided and directed.

Allotment of
Monken Hadley.

IV. And be it further enacted, That all that Allotment of Land within, and Part of, and set out upon the said Chase, and described and distinguished on the said Survey or Plan thereof by Words and Red Lines from the Rest of the said Chase, containing two hundred and forty Acres; abutting, on the North Part thereof, upon the Allotments of his Majesty, and of the Parish of *South Mimms*; on the South Part thereof, upon divers Inclosures within the said Parish of *Monken Hadley*; on the East Part thereof, upon the King's Allotment; and on the West Part thereof, upon the *Old Ford* Allotment, certain Incroachments made upon the said Chase, and the Township of *Monken Hadley*, shall be, and the same are hereby assigned and set apart in Satisfaction of all Rights of Common, and other Rights whatsoever, which the Lord of the Manor of *Monken Hadley*, his Tenants, and other the Owners and Proprietors of Messuages, Lands, and Tenements, within the said Parish of *Monken Hadley*, their Lessees, Tenants, or Undertenants, are intitled unto within or upon the said Chase, and in Compensation and Discharge thereof.

Apportionment
of Monken Had-
ley Allotment.

Allotment to
the Incumbent.

V. And be it further enacted, That all that Portion or Share of the said *Monken Hadley* Allotment, lying on the North Side of the Road called *Camlot-way*, containing fifty Acres, as the same is staked or marked out upon the said Chase, and described and distinguished from the Rest of the said Chase on the said Survey or Plan thereof, as *The Allotment to the Incumbent of Monken Hadley*, shall, from and after the passing of this Act, be and become vested in the Incumbent of the Donative Peculiar or Parish Church of *Monken Hadley* for the Time being, and his Successors for ever, in Lieu and Discharge of, and as a Satisfaction for, all Tythes whatsoever, accruing, arising, or growing due to the Incumbent of *Monken Hadley*, or his Successors, within the said Parish of *Monken Hadley*; and that all the Residue and Remainder of the said two hundred and forty Acres, assigned to the said Parish of *Monken Hadley*, and described and distinguished from the Rest of the said Chase on the said Survey or Plan as *The Monken Hadley Common*, shall, from and after the passing of this Act, become and from thenceforth be and remain vested in the Churchwardens of the said Parish of *Monken Hadley* for the Time being, and their Successors for ever, in Trust for, and for the sole Benefit of the Owners and Proprietors of Freehold and Copyhold Messuages, Lands, and Tenements, within the said Parish of *Monken Hadley*, their Heirs and Assigns, and their Lessees, Tenants, and Undertenants, for the Time being, intitled to a Right of Common, or other Rights within the said Chase, according to their several Estates and Interests therein.

Allotment for
Hadley Com-
mon.

Proviso.

VI. Provided always, That all Trees now growing, or which shall hereafter be planted for Shelter or Ornament, upon the said last-mentioned Allotment, within the Distance of three-score Yards of the ancient Chase-boundary, or Ring-fence, shall be the Property of the Owners of Houses and Lands next to which the Trees are so standing, or shall be so planted severally and respectively.

Allotment to
Enfield Old
Park.

VII. And be it further enacted, That all that Portion or Allotment of Land, within, and Part of, and set out upon the said Chase, and described and distinguished on the said Survey or Plan thereof, in Words and by Red Lines from the Rest of the said Chase, as *The Allotment to Enfield Old Park*, containing thirty Acres and fifteen Perches; abutting, on the North Part thereof, upon the *Enfield* Allotment; on the West or South-west Part thereof, upon the *Edmonton* Allotment; and on the South-east Part thereof, upon the said *Enfield Old Park*; with all Trees, Woods, and Underwoods thereon, shall, from and after the passing of this Act, become, and the same shall from thenceforth be and remain vested in the Owner and Proprietor of the said *Enfield Old Park*, his Heirs and Assigns, for ever, according to his and their Rights and Interests in the said Park, in full Compensation, Satisfaction, and Discharge of all such exclusive and peculiar Rights, Claims, and Privileges, within and upon the said Chase, as the Owner and Proprietor of the said Park, in respect thereof, is intitled unto, or could or might challenge, or have, in the said Chase, over and above such Right as the said Owner and Proprietor is intitled unto or claims in respect of his Messuages, Lands, or Tenements, within the said Parishes of *Enfield* and *Edmonton*, or either of them, in common with other Freeholders in those Parishes.

A Road to be
made by Enfield
Old Park.

VIII. And whereas several Gates do lead out of *Enfield Old Park* aforesaid, upon that Part of the Chase which is allotted to the Parish of *Edmonton*, and which will be convenient and necessary to be continued for the Use of the Owner and Proprietor of the said *Enfield Old Park*, his Heirs and Assigns, and his or their Tenant or Tenants, to pass and repass to and from his and their Lands: And whereas, in order to accommodate the said Owner and Proprietor of the said *Enfield Old Park*, his Heirs and Assigns, and his or their Tenant or Tenants; and to prevent the Inconvenience and Prejudice which otherwise would arise to the Allotment assigned to the said Parish of *Edmonton*, it has been agreed between the Owner or Proprietor of the said *Enfield Old Park*, and the Parishioners of the said Parish of *Edmonton*; that a Public Way of forty Feet wide shall be fenced out of their said Allotment next to the Fence of the said *Enfield Old Park*, from *Filecaps Gate* to the *Enfield Old Park* Allotment, and be for ever maintained by the Parishioners of the said Parish of *Edmonton*; and the said Way shall be considered as a Public Way belonging to the said Parish of *Edmonton*; and, in Consideration thereof, the said Owner and Proprietor of *Enfield Old Park* hath agreed to pay to the Parish of *Edmonton* a clear yearly Rent-charge of five Pounds a Year for ever, free and clear of all Taxes, Reprisals, and Deductions whatsoever, in Manner herein-after mentioned; be it therefore enacted, That the Owner and Proprietor of *Enfield Old Park*, his Heirs or Assigns, shall yearly and every Year pay to the Overseers of the Poor of the Parish of *Edmonton* for the Time being, and their Successors for ever, one yearly Rent-charge of five Pounds a Year, free and clear of and from all Taxes, Reprisals, and Deductions whatsoever, chargeable upon and issuing

Proprietor of the
Park to pay 5l.
a Year to the
Parish of Ed-
monton;

out of the said *Enfield Old Park* Allotment of thirty Acres and fifteen Perches, payable half-yearly, at *Lady-day* and *Michaelmas* in every Year, the first Payment thereof to begin and be made on *Lady-day*, one thousand seven hundred and seventy-eight; and which said Rent-charge of five Pounds shall be, from Time to Time, applied by the said Overseers of the said Parish of *Edmonton*, for the Time being, and their Successors, in Aid of the Poor's Rate of the said Parish of *Edmonton*, in such Manner as shall, from Time to Time, by Order of Vestry, be directed, with such Powers of Entry and Distress, and other Powers and Remedies on the said thirty Acres and fifteen Perches, for Recovery of the said Rent-charge (on Nonpayment) and all Arrears thereof, and the Costs and Charges attending such Recovery, as are by Law allowed for Recovery of Rents-charge of the like Nature; and, in Consideration thereof, the Parishioners of the said Parish of *Edmonton* shall, at their own Expence, set cut, fence, make, and for ever maintain such Public Way, of such Width as aforesaid; and the Owner and Proprietor of the said *Enfield Old Park*, his Heirs and Assigns, and his or their Tenant or Tenants, shall, from and after the making of such Public Way as aforesaid, have the Use thereof for the passing and repassing of his and their Carriages and Cattle, to and from the said *Enfield Old Park*; and until the said Parishioners of the said Parish of *Edmonton* shall set out, fence, and make such Public Way as aforesaid, it shall and may be lawful to and for the said Owner and Proprietor of the said *Enfield Old Park*, his Heirs and Assigns, his and their Tenant and Tenants, with his and their Carriages or Cattle, to pass over the said *Edmonton* Allotment, in the same Manner as he and they are now accustomed.

who are to make
and maintain
the said Road.

IX. And be it further enacted, That all that Portion or Allotment of Land, within, and Part of, and set out upon the said Chase, and described and distinguished on the said Survey or Plan thereof, in Words and by Green Lines from the Rest of the said Chase, as *The Allotment to the Manor of Old Fold*, containing thirty-six Acres, three Roods, and twenty-four Perches; abutting, on the North Part thereof, upon the *South Mimms* Allotment; on the South Part thereof, upon certain Incroachments made upon the said Chase; on the East Part thereof, upon the Allotment of the Incumbent of *Monken Hadley*; and on the West Part thereof, upon the Great North Road leading from *Barnet* to *Hatfield*; together with all Trees, Woods, and Underwoods, standing and growing thereon, shall, from and after the passing of this Act, become, and the same shall from thenceforth be and remain vested in the Owner and Proprietor of the said Manor of *Old Fold*, his Heirs and Assigns, for ever, according to his and their Rights and Interests in the said Manor, in full Compensation, Satisfaction, and Discharge, of all such exclusive peculiar Rights, Claims, and Privileges, within and upon the said Chase, as the Owner and Proprietor of the said Manor of *Old Fold*, in respect thereof, is intitled unto, or could or might challenge, or have in the said Chase, over and above such Right as the said Owner and Proprietor is intitled unto or claims in respect of his Messuages, Lands, or Tenements, within the said Parish of *South Mimms*, in common with other Freeholders in that Parish

Allotment to
Old Fold Manor.

X. Provided always, and be it enacted, That the Owners and Proprietors of the said *Enfield Old Park*, and Manor of *Old Fold*, their Heirs, Assigns, Lessees, and Tenants, shall and may, notwithstanding the aforesaid special Allotments made to them, have and be intitled unto the same Rights within and upon, and stand interested in the Allotments made and assigned for the Benefit of the Parishes within which the said Park and Manor are respectively situate, for and in respect of such Rights and Privileges as the said Owners and Proprietors of the said Park and Manor are intitled unto for the said Park and Manor, in common with the said other Freeholders and Copyholders in such respective Parishes; any Thing before contained to the contrary notwithstanding: Provided also, That the said Allotments assigned unto the Owners and Proprietors of the said Park and Manor respectively, shall be subject and liable to all such Uses, Trusts, Estates, Wills, Limitations, Conditions, Settlements, Provisions, Remainders, Reversions, Debts, Charges, and Incumbrances, as the said Park or Manor, to which the same are assigned, are respectively subject and liable to at the Time of passing this Act, Leases at Rack Rents only and always excepted.

Reservation of
Common Rights
to *Enfield Park*
and Manor of
Old Fold.

XI. Provided always, and be it enacted, That the several Pounds or Pinfolds, and Strayfields, within the said Chase, shall for ever remain vested in and be maintained and kept repaired by his Majesty, his Heirs and Successors, as heretofore accustomed.

Pinfolds reserved
to the Crown.

XII. Provided also, and be it enacted, That in case any of the said Pounds or Pinfolds shall be hereafter found inconvenient in respect of Situation, it shall be lawful for the Steward or Lessee of the Manor or Lordship for the Time being, to which such Pound or Pinfold shall belong, by and with the Consent of the Churchwardens, of the Parish wherein such Pound or Pinfold is situate, to remove the same to any other convenient Place or Places within such respective Manor, or to erect any other Pounds or Pinfolds for the more conveniently impounding of Cattle trespassing within the said Manors respectively.

Steward, &c.
may remove Pin-
folds, with Con-
sent of Church-
wardens.

XIII. And be it further enacted, That the said Allotments, herein-before assigned for the Benefit of the Owners and Proprietors of Messuages, Lands, and Tenements, in the said Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, as aforesaid, and to the said Owners and Proprietors of *Enfield Old Park*, and Manor of *Old Fold* respectively, and their Lessees, Tenants, and Under-tenants, shall be taken and accepted in full Compensation, Satisfaction, and Discharge of all their Rights, Claims, and Privileges whatsoever, in, over, and upon all the Residue of the said Chase: And that the said several Allotments shall, from and after the passing of this Act, be, become, and remain freed, exonerated, and for ever absolutely discharged, of and from all Rights of Chase, Right of Soil, and Right of Common, of the King's Majesty, his Heirs and Successors, and his and their Tenants and Lessees within or upon the same; save and except such temporary Rights of Chase as are herein-after enacted and provided for.

Allotments to
be accepted in
lieu of other
Rights.

XIV. And be it further enacted, That all those several Portions or Allotments of Land, within and Part of, and set out upon the said Chase, and described and distinguished on the aforesaid Survey or Plan thereof, in Words and by Red Lines, from the Rest of the said Chase, as *The Allotment for Tythes*; (that

Allotment in
Discharge of
Great Tythes of
certain Parts of
the Chase.

is to say) One Allotment, containing four hundred and eighty-nine Acres, and thirty-two Perches, abutting, on the North and North-east Parts thereof, upon a certain Road there, further East on the *Enfield* Allotment, and on the South and West Parts thereof, upon his Majesty's Allotment, and the Allotment to the Parish of *Edmonton*; and one other Allotment, lying near the End of *Parson's Lane* near *Enfield* Town, on the South Side of the Road leading from the said Lane up the Chase, containing, by Admeasurement, four Acres and two Roods; one other Allotment, lying on the North Side of the said Road, nearly opposite to *Master Bache's House*, containing, by Admeasurement, fifteen Acres and two Roods; and one other Allotment, lying near the Windmill on the said Chase, abutting, on the South, on the Fence of *Enfield Old Park*, and on the South-east Part on the Back of the Spring lying above the House in the Occupation of *Master John Horne*, containing ten Acres, making in the whole five hundred and nineteen Acres and thirty-two Perches, shall, from and after the Apportionment herein-after directed, become, and the same shall from thenceforth be and remain vested in the Master, Fellows, and Scholars of *Trinity College* in the University of *Cambridge*, and their Successors, and the said Earl of *Lisburne*, and the Right Honourable Lord *Vaughan*, eldest Son of the said Earl of *Lisburne*, and in the said Vicar of *Enfield* and his Successors, according to their several Shares and Proportions thereof and Interests therein, to be set out to them in Manner herein-after directed; freed and discharged of and from all Rights of Chase, and Soil, Rights of Common, and other Rights of the King's Majesty, his Heirs and Successors, and of the Freeholders and Copyholders of the several Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, their Heirs, Lessees, Tenants, and Assigns, except Suit and Service to the Courts of the Manor of *Enfield* aforesaid.

XV. And whereas the said Master, Fellows, and Scholars, and the said Earl of *Lisburne*, and Lord *Vaughan*, have agreed with the said Vicar to set out and allot to him eighty Acres, Part of the said Tythe Allotment of four hundred and eighty-nine Acres and thirty-two Perches, in Lieu and Satisfaction of his Share and Interest therein; and the said Master, Fellows, and Scholars, being disposed to augment the said Vicarage, have agreed with the said Earl of *Lisburne*, and the said Lord *Vaughan* his Son, for their Term and Interest in one hundred and sixty Acres, other Part of the said Tythe Allotment of four hundred and eighty-nine Acres and thirty-two Perches, which the said Master, Fellows, and Scholars, propose to unite to the said eighty Acres, upon the Terms and for the Purposes herein-after mentioned; and that the two hundred and forty-nine Acres and thirty-two Perches, Residue of the said Tythe Allotment last mentioned, and all Trees and Underwoods now standing and growing thereon (except such Trees as have been already marked for his Majesty's Use), shall be held, enjoyed, and taken, by the said Earl of *Lisburne* and Lord *Vaughan*, during the Residue of the Term and Interest they have to come in the Lease thereof: And, for effectuating the Agreements aforesaid, be it therefore enacted, That it shall and may be lawful to and for *Thomas Browne* of *Campfield-place* in the County of *Hertford* Esquire, and *William Young* of *Portugal-street*, *Lincoln's-inn-fields*, in the County of *Middlesex*, Land Surveyor, and they are hereby appointed Referees for dividing and apportioning, and they are hereby authorised and directed to divide, set out, and apportion, and by their Award in Writing, to be by them executed, to assign the said Allotment of four hundred and eighty-nine Acres and thirty-two Perches, to and amongst the said Master, Fellows, and Scholars, and their Successors, and the said Vicar of *Enfield* and his Successors, and the said Earl of *Lisburne* and Lord *Vaughan*, and their Trustee, in Manner following; (that is to say) To the said Vicar of *Enfield* and his Successors, such Share or Proportion thereof as they shall adjudge (Quantity, Quality, and Situation considered) to be equal in Value to eighty Acres, upon an Average Value of the whole of the said Allotment of four hundred and eighty-nine Acres and thirty-two Perches; and to the said Master, Fellows, and Scholars, and their Successors, such Share or Proportion thereof as they shall adjudge (Quantity, Quality, and Situation considered) to be equal in Value to one hundred and sixty Acres of the said Allotment of four hundred and eighty-nine Acres and thirty-two Perches, to be united to the said Vicarage, and for augmenting the same as herein-after is mentioned; and the Residue of the same Allotment to the said Earl of *Lisburne* and Lord *Vaughan*, and their Trustee, for such Term and Interest as they have therein by virtue of the said Lease, or shall hereafter obtain by Renewals thereof from the said College; and the said Referees shall also, in and by their said Award, ascertain the Fences to be made by the said Master, Fellows, and Scholars, their Successors and Lessee, and by the said Vicar and his Successors, in the Proportions herein-after directed; which Award shall be enrolled in his Majesty's Court of Duchy Chamber of *Lancaster*, and shall afterwards be deposited and kept by the said Master, Fellows, and Scholars, and their Successors, in their College in the said University of *Cambridge*; and the said Enrolment, or a Copy thereof, shall be at all Times deemed legal Evidence of the same.

Directions for apportioning the Residue of the Tythe Allotment.

When Referees differ in Opinion, an Umpire to be elected.

For apportioning Part of the Tythe Allotment.

XVI. Provided always, and be it enacted, That in case the said Referees shall differ in Opinion concerning the Premises, then, and in such Case, the said Referees are hereby authorised and required, forthwith, by Writing under their Hands, to nominate and elect an Umpire between them, to determine the Matters so in Difference; and that the Judgment and Determination of such Umpire shall be final and conclusive.

XVII. And be it further enacted, That the said Allotment, containing, by Admeasurement, four Acres and two Roods, and the said other Allotment, containing fifteen Acres and two Roods, as set out and described by the said Survey or Plan of the said Chase, shall go to, and be held and enjoyed by the said Master, Fellows, and Scholars of *Trinity College* aforesaid, and their Successors, and the said Earl of *Lisburne* and Lord *Vaughan*, and their Trustee, according to their several Rights and Interests therein, forever; and that so much of the Fences as shall adjoin to any Road or Roads, or open Parts of the said *Enfield* Allotment, by this Act directed to be kept in common to the said Parish, shall be made by the Master, Fellows, and Scholars, or their Lessee, and the said Vicar or his Lessee, and the Residue of the said Fences

by the Lessee or Lessees, Occupier or Occupiers of the Land adjoining to the said Allotments; and that the Allotment lying near the said Windmill, containing ten Acres, as described in the said Survey or Plan, shall go to and be held and enjoyed by the Vicar of *Enfield*, and his Successors for ever.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Master, Fellows, and Scholars, and their Successors, at any Time hereafter, by any Deed or Writing to be sealed with their Common Seal, to augment the said Vicarage, by annexing thereto the said one hundred and sixty Acres, and that the same, with all Houses and Buildings thereon, shall for ever belong to the Vicarage, and shall from thenceforth be vested in, and held and enjoyed by, the Vicar of the said Parish of *Enfield* for the Time being, and his Successors, as Parcel of the Glebe appertaining to the Vicarage of the said Parish; subject nevertheless to all such Conditions, Limitations, and Directions, as shall be set forth, contained, and expressed in and by such Deed of Augmentation as aforesaid: And that it shall and may be lawful to and for the said Master, Fellows, and Scholars, and their Successors (if they shall so think fit), in and by such Deed, to declare and appoint, that when and so often as any Fellow of the said College shall be presented to and shall accept of the said Vicarage, such Acceptance shall vacate his Fellowship, and the said Vicarage be considered as a full Provision for every such Fellow to be made by the said College: Which Deed of Augmentation shall be inrolled in his Majesty's Court of Duchy Chamber of *Lancaster*, and that such Inrolment, or a Copy thereof, shall be at all Times legal Evidence of the same.

Enfield Vicarage may be augmented, &c.

XIX. And be it further enacted, That immediately after such of the Fences of the said Allotments for Tythes as are herein-after directed to be made at his Majesty's Expence, shall be completed, and the said Allotments appertained and assigned by the said Referees as aforesaid, the same shall be deemed and taken as a full Recompence and Satisfaction for, and shall be accepted by the said Master, Fellows, and Scholars, and their Successors, and their Lessee, and by the Vicar of the said Parish of *Enfield*, and his Successors, in full Satisfaction and Discharge of all and all Manner of Tythes whatsoever, which might or could otherwise accrue, arise, or become due to them or their Successors, Tenants, or Lessees, either upon or from the several Lodges upon the said Chase, and the inclosed Lands held and occupied with the said Lodges, or upon or from all such Parts of the said Chase, whether open or inclosed, which, under the Provisions of this Act, shall or may become the Property of the King's Majesty, his Heirs and Successors, or upon or from such Part of the said *Enfield* Allotment, not exceeding two hundred Acres, as shall be inclosed from the Residue of the said Allotments under the Provisions herein-after for that Purpose contained, or upon or from the several Portions or Allotments assigned to the said Parish of *South Mimms*, and the Owners and Proprietors of *Enfield Old Park*, and Manor of *Old Fold*, or any of them: And that immediately after the said Fences of the said last-mentioned Allotments for Tythes, directed to be made at his Majesty's Expence, shall be so made and completed, not only all such Parts of the said Chase as shall become the exclusive Property of the King's Majesty, his Heirs and Successors, by virtue of this Act, and all Incroachments thereon, but also all the Lodges within the said Chase, and all inclosed Lands therewith held and occupied, and also the said two hundred Acres so intended to be inclosed, being Part of the said Allotment of one thousand seven hundred and thirty-two Acres, two Roods, and six Perches, assigned to the Parish of *Enfield*; and also all and singular the said several Allotments of the said Chase, and every Part thereof, herein-before assigned to the said Parish of *South Mimms*, and to the Owners of *Enfield Old Park* and Manor of *Old Fold*, and to the Master, Fellows, and Scholars of *Trinity College*, and their Lessee, and to the Vicar of *Enfield*, and every of them, shall become and shall from thenceforth remain, and be for ever freed, exonerated, and discharged of and from all Tythes, of what Nature or Kind soever.

Deed of Augmentation to be inrolled.

Allotments to be accepted in lieu of such Tythes.

Certain Parts of the Chase made Tythe-free.

XX. Provided always, That nothing herein contained shall take away or affect the Rights of the said Master, Fellows, and Scholars, and their Successors or Lessees, or of the Vicar of *Enfield* for the Time being, or any of them, to such Tythes as shall arise and accrue from the said Chase, or any Inclosures made or to be made within the same, until the Fences of the said Portions or Allotments, hereby assigned to the said Master, Fellows, and Scholars, and the Vicar of *Enfield*, directed to be made at his Majesty's Expence, shall have been so made and completed. Provided also, That nothing herein contained shall abridge, take away, lessen, or in any wise affect the Rights of the said Master, Fellows, and Scholars, their Successors or Lessees, or the Vicar of the Parish of *Enfield* for the Time being, or his Successors, of, in, or to any Tythes, which shall arise, accrue, or grow due from the several Allotments of the said Chase, hereby assigned to or for the Benefit of the said Parishes of *Enfield*, *Edmonton*, and *Monken Hadley*, and the Incumbent of *Monken Hadley*, or either of them (excepting only as to the said two hundred Acres, Part of the said *Enfield* Allotment, herein-after directed to be inclosed); but that the said Master, Fellows, and Scholars, and their Successors and Lessees, and the Vicar of *Enfield* and his Successors, shall be intitled unto and shall have, receive, and take, in and upon the said several last-mentioned Allotments, and every Part thereof respectively (except as to the said two hundred Acres), all and all Manner of Tythes, which shall arise and accrue thereon or therefrom, in as ample and beneficial Manner, to all Intents and Purposes, as they would severally and respectively have been intitled unto, in case this Act had not been made; any Thing herein-before contained to the contrary thereof in any wise notwithstanding.

A Reservation to Tythe-owners, till their Allotments be fenced.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Master, Fellows, and Scholars of the said College, and their Successors, and the Vicar of *Enfield*, or his Successors, at any Time hereafter, to compound and agree with the Freeholders and Copyholders of the said Parish of *Enfield*, for discharging the remaining one thousand five hundred and thirty-two Acres, two Roods, and six Perches, of the said Allotment, assigned to or for the Benefit of that Parish, or any Part thereof, from the Payment of Tythes, and to accept, in lieu thereof, such Share and Proportion of the said last-mentioned Allotment, or such other Composition, as shall be settled and agreed upon between the said Parties for that Purpose; which Agreement, being reduced into Writing, and sealed with the Common Seal of the said Master, Fellows, and Scholars, and signed, sealed, and executed by the Vicar of *Enfield* for the Time being, and also by four Parts in five of the Owners and Proprietors of Messuages, Lands, and Tenements,

Powers to compound for Tythes of *Enfield* Allotments

ments, in the said Parish of *Enfield*, not being within or Part of the said Chase, who shall be assessed to the Land Tax for the said Messuages, Lands, and Tenements, and which Majority shall be determined by the Land Tax Assessment for the Year next preceding the making of the said Agreement; and such Agreement being also approved by the Lord Bishop of *London* for the Time being, testified by his signing his Consent and Approbation thereto at the Foot of such Agreement, and being inrolled in his Majesty's Court of Duchy Chamber of *Lancaster*, shall be for ever thereafter legal, valid, and effectual, to all Intents and Purposes, notwithstanding any Infancy, Coverture, Lunacy, or other Disability whatsoever.

The like Power as to Edmonton and Hadley Allotments.

XXII. Provided always, and be it enacted, That the said Master, Fellows, and Scholars, and their Successors, and the Vicar of *Enfield*, and his Successors, and a major Part in Number and Value of the Freeholders and Copyholders of the said respective Parishes of *Edmonton* and *Monken Hadley*, shall severally have the like Powers and Abilities to compound and agree for the Tythes of the said Allotments or Portions of the said Chase, hereby assigned to or for the Benefit of the said Parishes of *Edmonton* and *Monken Hadley* respectively, in Discharge of such Tythes, in all Respects as are herein-before given to the said Master, Fellows, and Scholars, and their Successors, and the said Vicar, and his Successors, and to four Parts in five of the Freeholders and Copyholders of the said Parish of *Enfield*, in respect to the Tythes of the Residue and Remainder of the said *Enfield* Allotment; and such Agreement being executed, approved, and inrolled, and undergoing the same Ceremonies and Forms as are herein-before directed in respect to the Tythes of the Remainder of the said Allotment to the said Parish of *Enfield*, shall for ever thereafter be valid and effectual to all Intents and Purposes, notwithstanding any Infancy, Coverture, Lunacy, or other Disability whatsoever.

The like for Hadley Incumbent's Allotment.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Master, Fellows, and Scholars, and their Successors, and the Vicar of *Enfield*, and his Successors, at any Time hereafter, to compound and agree with the Incumbent of the Peculiar Donative or Parish Church of *Monken Hadley* for the Time being, for discharging the said Allotment of fifty Acres hereby assigned to the said Incumbent of *Monken Hadley*, or any Part thereof, from the Payment of Tythes, and to accept, in lieu thereof, such Share and Proportion of the said last-mentioned Allotment, or such other Composition as shall be settled and agreed upon between the said Parties for that Purpose; which Agreement being reduced into Writing, and sealed with the Common Seal of the said Master, Fellows, and Scholars, and signed, sealed, and executed by the Vicar of *Enfield*, and by the Incumbent of the Peculiar Donative or Parish Church of *Monken Hadley* for the Time being, and by the Patron thereof; and such Agreement being also, in respect of the said Vicar of *Enfield*, approved by the said Bishop of *London* for the Time being, testified by his signing his Consent and Approbation thereto at the Foot of such Agreement; and being inrolled in his Majesty's Court of Duchy Chamber of *Lancaster*, shall be for ever thereafter legal, valid, and effectual, to all Intents and Purposes, notwithstanding any Infancy, Coverture, Lunacy, or other Disability whatsoever.

The like for the Owners of Incroachments.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Master, Fellows, and Scholars, and their Successors, and the Vicar of *Enfield*, and his Successors, or any of them, according to their respective Rights, at any Time hereafter, to compound and agree with the Owners of any Incroachments within the said Chase, which are not by this Act discharged from Tythes, for discharging his, her, or their respective Incroachment or Incroachments, from the Payment of Tythes, and to accept in lieu thereof such annual Composition in Money as shall be settled and agreed upon between the said Parties for that Purpose; which Agreement being reduced into Writing, and sealed with the Common Seal of the said Master, Fellows, and Scholars, and signed, sealed, and executed by the Vicar of *Enfield* for the Time being; and being also, in respect of the said Vicar of *Enfield*, approved by the said Bishop of *London* for the Time being, testified by his signing his Consent and Approbation thereto at the Foot of such Agreement, and the same being inrolled in his Majesty's Court of Duchy Chamber of *Lancaster*, shall be for ever thereafter legal, valid, and effectual, to all Intents and Purposes, notwithstanding any Infancy, Coverture, Lunacy, or other Disability whatsoever.

Compositions for Tythes not to prejudice Lessees.

XXV. Provided always, and be it enacted, That in case the Great Tythes of the said Parish of *Enfield* shall happen to be in Lease or Demise from the said College to any Person or Persons whatsoever, at the Time or Times of making any Composition or Agreement in lieu or discharge of Tythes of the said several Allotments of the said Chase, or any of them, under or by virtue of any Provisions or Powers contained or given in and by this Act; that then, and in such Case, such Agreement or Agreements shall be of no Force or Effect in respect of Great Tythes, during the Term and Interest of the Lessee or Lessees of the said Great Tythes, unless such Lessee or Lessees shall be consenting thereto, and be made a Party or Parties to such Agreement, and shall sign, seal, and duly execute the same, any Thing herein-before contained to the contrary notwithstanding.

Allotments to the King.

XXVI. And be it further enacted, That all the Residue and Remainder of the said Chase, not herein-before assigned, with all Incroachments thereon, shall, from and after, and so soon as the same shall be completely severed with Fences from the said other Shares or Allotments herein-before assigned, become and remain the exclusive and absolute Property of the King's Majesty, his Heirs and Successors, as Parcel of the Possessions of the Duchy of *Lancaster*, freed, exonerated, and for ever discharged of and from all Tythes whatsoever; and also of and from all Rights of Common, and other Rights, of what Kind or Nature soever, as well of the Freeholders, Copyholders, Lessees, Tenants and Inhabitants of the aforesaid Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, and every of them, their Heirs, Successors, and Assigns, as of the present and future Owners, Proprietors, Lessees, Tenants, and Occupiers of *Enfield Old Park* and *Old Fold Farm*; or either of them, their Heirs and Assigns; subject nevertheless to such parliamentary and parochial Taxes, Rates, and Assessments, as are herein-after particularly mentioned.

XXVII. And

XXVII. And be it further enacted, That all the Fences necessary to be made for severing and dividing from each other all and every the Allotments of the said Chase, herein-before assigned (save and except the Fence for dividing the Allotment to the Master, Fellows, and Scholars of *Trinity College*, and their Lessee, from the Allotment to be assigned to the Vicar of *Enfield*; and also save and except the Fence for dividing the said Allotment of fifty Acres, assigned to the Incumbent of *Monken Hadley*, from the Residue of the Allotment of two hundred and forty Acres assigned to the said Parish of *Monken Hadley*, which said last-mentioned Fence is to be made by and at the Expence of the said Parish of *Monken Hadley*) shall be made and completed at his Majesty's Expence; and that all such Parts of the said Fences as shall abut and adjoin upon any of the Lands within the said Chase, belonging or to belong to his Majesty, his Heirs and Successors, and also all the Fences of Posts and Rails which shall be made under the Directions of this Act, for guarding the Quicksets to be planted for such last-mentioned Fences, until such Quicksets shall have formed a sufficient Fence of themselves, shall be kept up, maintained and repaired at the Expence of his Majesty, his Heirs and Successors, or his or their Grantees, Lessees, or Tenants thereof respectively: And to that End it shall and may be lawful to and for the King's Majesty, his Heirs and Successors, by his or their Letters Mandate or Commission, to be issued under the Seal of the said Duchy, to authorize such Person or Persons, as shall be therein named, to make and erect, at his Majesty's Expence, fit and proper Fences, Hedges, Ditches, Banks, and Mounds, as well for severing, separating, and dividing his Majesty's said Allotments or Portions of the said Chase from the several other Portions and Allotments thereof, as for the separating and dividing the said Portions or Allotments set apart to the said Master, Fellows, and Scholars, and Vicar, and to the said several Parishes, Park, and Manor where such Allotments adjoin to each other (except the Fence dividing the Vicar's Allotment from the Allotment to the said Master, Fellows, and Scholars); and to cut down, grub up, transplant, and convert such fit and proper Bushes and Thorns, in and upon any Parts of the said Chase, where the same may be most conveniently taken for that Purpose, as they shall find necessary and expedient, and actually use in and about the making the said Fences, always having regard to the Preservation of young Trees; and also for erecting, laying out, and making fit and proper Gates, Inlets, Ways, and Passages, for the convenient Access to and Occupation of his Majesty's said Allotments; which said Letters Mandate or Commission shall be a full and sufficient Authority for so doing.

Fences to be made at his Majesty's Expence. Except, &c.

XXVIII. Provided always, and be it enacted, That all the Fences by this Act directed to be made at his Majesty's Expence, shall consist either of a Brick Wall or Park Pale, or of fit and proper Ditches and Mounds, with Quicksets to be planted thereon in an husband-like Manner; and that, for the better Protection thereof, all such Quicksets as shall be planted at his Majesty's Expence for Fences to divide his Majesty's Lands from the Allotments of the Parish of *South Mimms*, and of the Master, Fellows, and Scholars of *Trinity College*, and their Lessee, and of the Vicar of *Enfield*, shall be guarded with a substantial Fence of Posts, and a double Rail, to be set and placed at his Majesty's Expence upon the said last-mentioned Allotments, at some convenient Distance from the said Ditches not exceeding three Feet; and that all such Quicksets as shall be planted at his Majesty's Expence, as well for the Residue of the Boundary or Ring-fences of the Allotments to the said Master, Fellows, and Scholars, and their Lessee, and the said Vicar of *Enfield*, as for the Fences of the Allotments of the Owners of *Enfield Old Park* and Manor of *Old Fold*, and of the Incumbent of *Monken Hadley*, shall be respectively guarded with a like substantial Fence of Posts and double Rail to be set up and placed at his Majesty's Expence on that Side of the said several and respective Quicksets and Ditches which the several and respective Owners of the said last-mentioned Allotments for the Time being shall, by Notice in Writing under their Hands, to be delivered on or before the first Day of *October*, one thousand seven hundred and seventy-seven, to his Majesty's Surveyor of Lands for the South Parts of the said Duchy, specify, desire, or direct; and for Want of any such Notice or Notices, the said Fence of Post and Rail shall be placed in such Manner as the said Surveyor shall think fit. Provided also, That, in making the aforesaid Fences, all the Quicksets shall be planted on the Lines staked or marked out as the Boundaries of the said respective Allotments; and that the several Ditches shall be dug and made within the Allotments of such of the respective Owners, who, under the Provisions of this Act, will not be bound to keep such respective Fences in Repair; and that the Ground and Soil to be dug in making such Ditches shall be formed into Banks on the Side of such Ditches next to the said Quicksets; so as nevertheless the Ground to be used and taken for such Ditches shall in no-wise exceed the Width of six Feet in the Whole; and that, for the better Protection of such Quicksets as are not herein-before directed to be guarded with Post and Rail Fences, it shall be lawful for the respective Owners of the said Fences to erect and set up Posts and Rails on the Outfides of such Ditches, and from Time to Time to repair or remove the same; and that from Time to Time, as his Majesty's said Portions or Allotments, or any Part or Parts thereof, shall be completely fenced in and severed from the Residue of the said Chase, the same shall be discharged from all Rights of Common, and other Rights, of all the said Freeholders and Copyholders, their Heirs, Lessees, Tenants, and Assigns, and be held and enjoyed in Severalty by the King's Majesty, his Heirs and Successors, and his and their Lessees and Tenants, without Disturbance or Interruption. Provided always, That no Bushes or Thorns shall be cut or taken on the *Enfield* Allotment at any greater Distance than within one hundred Yards of the Fence to be made against their said Allotment, or for any other Fence but the Fence of the said Allotment.

The Nature of the Fences described.

Directions for planting Quicksets, &c.

XXIX. And be it further enacted, That one Moiety or Half-part of the Fence (the Whole containing twelve Chains in Length) which shall divide the *Enfield* Allotment from the *Edmonton* Allotment, (that is to say) that Moiety or Half-part of the said Fence nearest to *Enfield Old Park* Allotment, shall be forever repaired by the Parish of *Enfield*; and that the other Moiety or Half-part of the said Fence shall be repaired by the Parish of *Edmonton*; and that the Gate, to be erected between the said Allotments of *Enfield* and *Edmonton*, shall be kept in Repair at the joint Expence of the said two Parishes: And that the Fences of the Allotment, assigned to the Owner of *Enfield Old Park*, shall be forever repaired by the Owner

By whom the Fences are to be repaired.

Owner or Occupier of the said Allotment for the Time being; And that one Moiety or Half-part of the several Fences for dividing the *South Mimms* Allotment from the several Allotments assigned to the Incumbent of the Parish of *Monken Hadley*, and to the Owner of the Manor of *Old Fold*, shall be for ever repaired by the Owners or Occupiers of such Parts of the *South Mimms* Allotment as shall adjoin to the said last-mentioned Fences respectively; and that so much of the other Moiety or Half-part of the said Fences as shall abut upon the said Incumbent's Allotment, and also one Moiety or Half-part of the Fences dividing the said Incumbent's Allotment from the Allotment to the Manor of *Old Fold*, and also the Fence at the Southern Extremity of the said Incumbent's Allotment (excepting such Part thereof as abuts upon certain Inclosures called *Mount Pleasant*; which Part, and all other Fences surrounding the said Lands called *Mount Pleasant*, shall be repaired by the Occupier of the said Inclosures for the Time being), shall be for ever repaired by the Incumbent of *Monken Hadley* and his Successors; and that the Residue of the Fences dividing the *South Mimms* Allotment and the said Incumbent's Allotment from the *Old Fold* Allotment, and also the Fences of the said *Old Fold* Allotment, where the same abut upon the Great North Road, shall be for ever repaired by the Owners or Occupiers of the said *Old Fold* Allotment for the Time being.

His Majesty,
&c. empowered
to grant Leases
for ninety-nine
Years,

and to renew
the same.

Clause for en-
couraging
Growth of
Timber on the
King's Allot-
ments.

His Majesty's
Rights of Chase
reserved for a
limited Time.

Owners of Al-
lotments may
kill Deer upon
their own Lands.

Enfield Chase,
after Jan. 1,
1779, to be
discharged.

XXX. And to the End his Majesty, his Heirs and Successors, may be enabled to make and grant Leases of his and their Parts and Shares of the said Chase, for such Terms of Years, and with such Privileges, as will make it answer to, and thereby encourage and induce the Lessees and Tenants thereof to erect and build substantial Houses and Offices, and to make Drains and other Improvements therein, and to enter into Covenant with his Majesty, his Heirs and Successors, for that Purpose; be it further enacted, That it shall and may be lawful to and for the King's Majesty, his Heirs and Successors, to make and grant Leases, under the Seal of the said Duchy, of his Majesty's said Share and Portion of the said Chase, or any Parts thereof, and of any Lodges, Houses, or Erections now standing or hereafter to be built thereon, and of any Royalties, Seigniories, Lands, and Inclosures within the said Chase, with License for the Lessees to get and take Sand, Earth, and Clay, to make Bricks and Tiles to be used in and upon the Premises, to such Person or Persons as to him or them shall seem meet and expedient, for any Term or Number of Years in Possession, not exceeding ninety-nine Years; and from Time to Time to renew such Lease or Leases, so that, at the Time of any such Renewal, the Term in Possession or remaining unexpired, together with the Term or Terms to be granted in Reversion by such renewed Lease or Leases, do not exceed in the whole ninety-nine Years; and so as such Term or Terms to be granted in Reversion, be made to commence and take Effect on the Expiration of the Term or Terms before granted; and so as all and every such Lease or Leases, whether in Possession or Reversion, be in all other Respects made and granted agreeable and conformable to the Terms and Conditions prescribed and directed by a certain Act of Parliament, of the first Year of the Reign of Queen *Anne*, intituled, *An Act for the better Support of her Majesty's Household, and the Honour and Dignity of the Crown*.

XXXI. And for encouraging the Lessees of his Majesty, his Heirs and Successors, to plant and raise young Trees, and to protect and encourage the Growth of Timber Trees on the Lands so to be demised to them by such Leases; be it further enacted, That it shall and may be lawful to and for the Chancellor and Council of his Majesty's Duchy of *Lancaster* for the Time being, by their Order to be made in Court of Revenue, to authorize and direct the Surveyor of the Woods for the South Parts of the said Duchy, for the Time being, to treat with, and to enter into any Contract or Agreement, on the Part of his Majesty, his Heirs and Successors, to and with such Lessee or Lessees, for securing unto such Lessee or Lessees, and his, her, and their Executors, Administrators, and Assigns, such a fair and reasonable Allowance or Proportion of all Monies which shall at any Time, during the Term and Interest of such Lessee or Lessees, under their respective Leases, arise by Sale of Timber within the Lands so to be held and occupied by him, her, or them, as shall be settled and agreed upon between the said Surveyor and the said Lessee or Lessees, or any of them: And also for allowing unto such Lessee or Lessees, at the End and Expiration of their respective Leases, a like fair and reasonable Allowance and Proportion in Money for all Timber and Trees which shall be then left standing and growing in and upon their respective Farms, according to the Value of such Timber and Trees respectively; which Agreements, being confirmed by the Order of the said Chancellor and Council, shall be valid and effectual to all Intents and Purposes.

XXXII. And be it further enacted and declared, That his Majesty's Rights of Chase within and over the said Chase of *Enfield*, shall remain and continue vested in his Majesty, his Heirs and Successors, and all and every the Laws and Statutes of this Realm, now in Force for the Protection of Deer, and for punishing Persons guilty of any Offence in Breach of such Laws, shall remain and continue in full Force and Effect for the Protection of his Majesty's Deer within the said Chase, and for the Punishment of Offenders therein, until the several and respective Times herein-after mentioned; (that is to say) as to such Parts of the said Chase as are by this Act assigned to the said Parish of *South Mimms*, and to the Master, Fellows, and Scholars of *Trinity College*, and their Lessee, and to the Vicar of *Enfield*, and to the Owners of *Enfield Old Park* and Manor of *Old Fold*, and to the Incumbent of *Monken Hadley*, until the first Day of *January*, one thousand seven hundred and seventy-eight, and no longer; and as to all the Rest, Residue, and Remainder of the said Chase, until the first Day of *January*, one thousand seven hundred and seventy-nine; any Thing in this Act contained to the contrary thereof in anywise notwithstanding. Provided always, That it shall and may be lawful to and for the Owners and Occupiers of any Allotment or Allotments of the said Chase, by this Act authorized or directed to be inclosed, to hunt and kill any Deer upon their own Lands, before the said first Day of *January*, one thousand seven hundred and seventy-nine, when and so soon as the respective Fences of such Allotments shall be made and completed; and that such Owners or Occupiers, or any of them, shall not be subject to any Pain, Penalty, or Punishment for so doing.

XXXIII. And be it further enacted, That, from and after the first Day of *January*, one thousand seven hundred and seventy-nine, the whole of the District called *Enfield Chase* shall be, and the same is hereby discharged to all Intents and Purposes whatsoever; and that from thenceforth no Person or Persons shall be questioned

questioned or liable to any Pain, Penalty, or Punishment, for hunting, coursing, killing, destroying, or taking any Deer whatsoever, within the same; save and except within such Part or Parts thereof as shall be inclosed with Pales, and kept for a Park or Parks, as herein-after is authorized and directed.

XXXIV. And be it further enacted, That when and so often as any of his Majesty's Lands within the said Chase shall, by virtue of or under any License, Grant, or Commission, Licenses, Grants, or Commissions, from his Majesty, his Heirs or Successors, under the Seal of the said Duchy of *Lancaster*, be inclosed with Pales, and converted into a Park or Parks; that then, and from thenceforth, all and all Manner of Deer, kept or to be kept in such Park or Parks, shall be protected by the Laws and Statutes of this Realm, as if the same was or were an ancient Park or ancient Parks; and that all and every Person and Persons, who shall unlawfully hunt, course, kill, shoot, take, or destroy any Deer within the same, or attempt so to do, or set any Snares or Engines therein, shall be subject and liable to all such Pains, Penalties, and Punishments, as such Offender or Offenders would have been subject and liable to, in case and as if such Park or Parks was or were or had been an ancient Park or ancient Parks respectively.

Certain Parts of the Chase may be im-parked.

XXXV. And be it further enacted, That all that Fishery called *New Pond*, within the said *Enfield* Allotment, and all that Fishery also called *New Pond*, within the said *Hadley* Allotment, shall remain the Property of and be vested in the King's Majesty, his Heirs and Successors, until the first Day of *January*, one thousand seven hundred and seventy-eight; and that from thenceforth the said Fisheries shall be taken and enjoyed by the said Parishes of *Enfield* and *Monken Hadley* respectively, as Part of and belonging to their said respective Allotments, within which the same are situate, any Thing herein-before contained to the contrary thereof notwithstanding.

Fisheries reserved to his Majesty for a limited Time.

XXXVI. And be it further enacted, That it shall and may be lawful to and for the proper Officer or Officers of his Majesty's said Duchy for the Time being, or such other Person or Persons as his Majesty shall thereunto authorize, for the Space of two Years, to be computed from the last Day of this present Session of Parliament, with Workmen or Labourers, Servants and Agents, Horses, Carts, and Carriages, to have and take free Ingress and Egress into and upon the said several Allotments hereby assigned to the Freeholders and Copyholders of the Parishes of *Edmonton*, *South Mimms*, and *Monken Hadley*, and to the Master, Fellows, and Scholars of *Trinity College*, and their Lessee, and the Vicar of *Enfield*; and also upon so much and such Part of the said *Enfield* Allotment as lieth to the North of the Gutter running into *New Pond*, and to the North of *East Lodge Farm* (which Part containeth two hundred Acres), as well to pull, fell, cut down, grub up, burn to Charcoal, remove and dispose of all such Oak and Beech Trees, standing and growing within and upon the said several last-mentioned Allotments and Lands respectively, as have been already marked and numbered, and not herein-before made the Property of the said Parishes of *Edmonton* and *South Mimms*, but none others: And that from and after the End and Expiration of that Term, all the Timber, and other Trees, Woods, and Underwoods, which shall be then left standing and growing, or shall at any Time thereafter stand and grow, within and upon the said several last-mentioned Allotments and Lands, shall become and remain the Property of the Persons intitled to such Lands, whereon the same shall be so standing and growing respectively: And that all the Money to arise by Sale of the said Trees, or a sufficient Part thereof, shall be applied and disposed of by the Receiver-general of the Revenues of the said Duchy, under the Order and Direction of the Chancellor and Council of the said Duchy for the Time being; in the first Place, in defraying the Expences already incurred in surveying the said Chase, and in setting out the several Allotments thereof; and then, in defraying the Expences of obtaining this Act, and making the Fences, Roads, Bridges, and Gates, by this Act directed to be made at his Majesty's Expence: And in case there shall be any Overplus, the same shall be accounted for and answered by the said Receiver-general to the King's Majesty, his Heirs and Successors, as Part of the Revenues of the said Duchy; but in case the same shall be insufficient for the Purposes aforesaid, such Deficiency shall be made good out of the other Revenues of his Majesty's said Duchy, in such Manner as the Chancellor and Council of the said Duchy shall direct.

Timber reserved to the Crown for a limited Time.

Application of Monies arising from Sale of Timber.

XXXVII. And whereas the King's Majesty is seized in Fee of and in divers small Tenements heretofore incroached upon the said Chase, consisting of Cottages and Inclosures held by sundry Persons, as Tenants thereof to his Majesty, by Lease or otherwise, being within and Part of his Majesty's Allotments of the said Chase, and of and in divers Parcels of uninclosed Land, lying detached from the main Part of his Majesty's said Allotment: And whereas the greater Part of the said Cottages were built and erected, and the Inclosures held therewith, made by the Permission of the Officers of the Crown intrusted with the Care of the said Chase, at the Expence of the present Tenants thereof, or of those under whom they claim; some of whom have laid out their whole Substance therein, and others of them have expended considerable Sums of Money in the Improvements thereof; and the Residue of the said Inclosures consist chiefly of Gardens, and Outlets or Parts of Gardens, and Outlets belonging to the adjoining Freehold Mansions of sundry Persons, which have been inclosed and laid thereto, in order to make such Gardens and Outlets more convenient and uniform: And whereas the said Parcels of uninclosed Land being near adjoining to the Freehold Tenements of divers Persons, it will tend to the manifest Advantage of such Tenants and Freeholders, if they were permitted to purchase of the King's Majesty, as well the several Incroachments by them respectively held as aforesaid, as also the said other detached Parcels of uninclosed Land: And whereas the Sale and Disposal of such Incroachments and Lands will not interfere with, or be any ways detrimental to the main Part of his Majesty's Estates and Possessions within the said Chase; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Chancellor and Council of his Majesty's Duchy of *Lancaster* for the Time being, in Court of Revenue of the said Duchy, from Time to Time, to make such Orders for the Sale and Disposal, as well of all Cottages, Buildings, Inclosures, and Incroachments, within and upon and being Part of his Majesty's Allotment of the said Chase, with their Appurtenances, as of any other Parts and Parcels of his Majesty's said Allotment or Allotments, unto such Persons, and at and for such Prices, as the said Chancellor and Council shall

The Crown empowered to sell certain Parts of the Chase, &c.

think

think fit, giving nevertheless unto every Tenant and Tenants of his Majesty the Preference and Option of purchasing the respective Incroachment or Incroachments held or occupied by such respective Tenant or Tenants, at such fair and reasonable Price or Prices, as shall be so put or set thereon by the said Chancellor and Council: And that upon Payment by the respective Purchasers of such Sums of Money, as shall be so agreed upon as the Prices for the Purchases of the Premises respectively, into the Hands of the Receiver-general of the Revenues of the said Duchy for the Time being, it shall and may be lawful to and for the Chancellor of the said Duchy for the Time being, by Deed or Writing under the Seal of the said Duchy, to grant, convey, and release, in the Name of his Majesty, his Heirs and Successors, unto such several and respective Purchasers, and their Heirs, in Fee-simple, the several and respective Cottages, Buildings, and Inclosures, and Parcels of Land or Ground, by him, her, or them respectively purchased, free from all Rents and Payments whatsoever; which said Deeds or Writings, so sealed as aforesaid, shall be effectual and sufficient in Law to vest in every such Person, and his Heirs, the Fee-simple and Inheritance of the several Cottages, Buildings, Inclosures, and Lands, therein to be comprized and described, notwithstanding the aforesaid Act of the first Year of the Reign of Queen Anne, or any other Act or Acts, or other Impediment or Disability whatsoever.

Purchasers on Payment of Purchase-money, to be vested in Fee-simple, &c.

The Crown not to sell more than a Co Acres, besides Incroachments. Application of the Purchase-money.

XXXVIII. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to give unto the said Chancellor and Council any Power, or Authority to make Sale or convey beyond the Quantity, in the whole, of two hundred and fifty Acres of his Majesty's said Allotment, over and besides the Incroachments thereon.

XXXIX. And be it further enacted, That all the Monies which shall arise by Sale of the said Cottages, Buildings, Inclosures, and Parcels of Land, shall be paid into the Hands of the Receiver-general of the Revenues of the said Duchy of Lancaster for the Time being, whose Receipts and Acquittances shall be entered as of Record by the Clerk of the Council of the said Duchy; and the same, or a Copy of such Receipts or Acquittances, shall be full and sufficient Discharges to the Persons so paying the same; and such Monies shall be applied and disposed of, by the said Receiver-general, under the Order and Direction of the said Chancellor and Council, in Aid of the Fund herein-before provided by or from the Sale of Timber, and as Part of such Fund, to and for the like Uses and Purposes to which the said Fund is herein-before directed to be applied.

Edmonton Allotment annexed to that Parish.

XL. And be it further enacted, That the Portion or Allotment of the said Chase hereby assigned to or for the Benefit of the Parish of Edmonton, and all Incroachments which shall become vested in the Churchwardens of that Parish (save and except in respect of the Tythes of the said Allotment, or of Lands which may be set apart in lieu of such Tythes), and all Messuages, Buildings, and Inclosures whatsoever, within the Circuit or Limits of the said last-mentioned Allotments, which are now Part of the said Parish of Enfield, shall be for ever hereafter annexed to and become Part of the said Parish of Edmonton, and be rated and assessed to all parliamentary and parochial Taxes, Rates, and Assessments, in and for the said Parish of Edmonton, and in and for no other Parish, Township, Precinct, or District; and that all such of the Owners and Occupiers of the said Messuages, Buildings, and Inclosures, annexed to the said Parish of Edmonton, as are, in respect thereof, intitled to a Right of Common within the said Chase (if any such there be), shall have and be intitled to the same Right of Common upon the said Edmonton Allotment, as they or any of them would have been intitled unto, within and upon the said Chase, in case this Act had not been made.

South Mimms and Old Fold Allotments annexed to South Mimms Parish.

XLI. And be it further enacted, That all the aforesaid Portion or Allotment of the said Chase, hereby assigned to or for the Benefit of the Freeholders and Copyholders of the Parish of South Mimms, and all Messuages, Buildings, Inclosures, and Incroachments whatsoever, within the Circuit or Limits of the said last-mentioned Allotment, which are now within and Part of the Parish of Enfield; and also the Portion or Allotment of the said Chase herein-before assigned to the Owner of the Manor of Old Fold, and every of them, shall be for ever hereafter annexed to and become Part of the said Parish of South Mimms, and be rated and assessed to all parliamentary and parochial Taxes, Rates, and Assessments, in and for the said Parish of South Mimms, and in and for no other Parish, Township, Precinct, or District.

Monken Hadley Allotments annexed to Monken Hadley Parish.

XLII. And be it further enacted, That the said several Portions or Allotments of the said Chase, containing together two hundred and forty Acres, hereby assigned to or for the Benefit of the Incumbent of the peculiar Donative or Parish Church of Monken Hadley, and his Successors, and the Freeholders, Copyholders, Lessees, and Tenants of the said Parish of Monken Hadley, together with all such Lands abutting upon the said Parish of Monken Hadley as are hereafter enfranchised to the several Owners or Possessors thereof, shall be for ever hereafter annexed to and become Part of the said Parish of Monken Hadley, and be rated and assessed to all parliamentary and parochial Taxes, Rates, and Assessments, within and for the said Parish of Monken Hadley, and in and for no other Parish, Township, Precinct, or District.

The rest of the Chase to belong to Enfield Parish.

XLIII. And be it further enacted, That all the Residue and Remainder of the said Chase, and all other Houses, Lodges, Buildings, Inclosures, and Incroachments thereon, which shall not become vested in the Churchwardens of the said several Parishes of Edmonton, South Mimms, and Monken Hadley, or the Incumbent of Monken Hadley, or the Owner or Proprietor of the Manor of Old Fold, shall be for ever hereafter assessed and rated to all parliamentary and parochial Taxes, Rates, and Assessments, within and for the said Parish of Enfield (Assessments to the Highways of the said Parish, in respect of such Parts of the said Chase as are herein-after erected into a separate District, only and always excepted); and that all such uninclosed Parts of the said Chase as are by this Act assigned to his Majesty, his Heirs and Successors, shall be subject and liable to all parliamentary and parochial Taxes, Rates, and Assessments, to the said Parish of Enfield, from the twenty-fifth Day of March, one thousand seven hundred and seventy-eight; and that from thenceforth, for and during the Term of thirty Years next following, all the said Lands within the said Chase hereby assigned to his Majesty, except the several Lodges and Lands thereto belonging, shall be deemed and considered as Lands let to Tenants at a Rack Rent of ten Shillings per Acre per Annum, and

no more nor less; and shall, during the said Term, be rated and assessed (including all Houses and Buildings thereon erected, or to be erected) to all parliamentary and parochial Taxes in the Parish of *Enfield*, in the same Manner as if the said Lands were actually held by Tenants at the annual Rent of ten Shillings per Acre, and in like Manner as other Lands in the Parish of *Enfield*, occupied by Tenants at a Rack Rent of ten Shillings per Acre, are or ought to be assessed and rated; and that the said Lodges and Lands thereto belonging, shall be rated in the same Manner as other Houses and Lands now are rated and assessed in the said Parish of *Enfield*; and that the Residue of the King's Allotment, after the Expiration of the said Term of thirty Years, shall be rated and assessed in the same Manner as other Houses and Lands shall be then rated and assessed in the said Parish of *Enfield*. Provided always, That all that Messuage, with the Lands inclosed and held therewith, called *Mount Pleasant*, situate within or near unto the Allotment of the Incumbent of *Monken Hadley*, and also all Tythes which shall at any Time grow, arise, or accrue from or upon the Portions or Allotments assigned to or for the Benefit of the Freeholders and Copyholders within the said Parishes of *Edmonton* and *Monken Hadley*, their Heirs, Lessees, and Tenants, and to the Incumbent of *Monken Hadley*, and his Successors, and all Lands or Compositions which shall or may be hereafter set out, made, or allowed, in lieu of such Tythes, shall be assessed and rated to all parliamentary and parochial Taxes, Rates, and Assessments, within and for the said Parish of *Enfield*, and within or for no other Parish, Township, Precinct, or District, any Thing herein-before contained to the contrary notwithstanding.

Directions for assessing the King's Allotment.

XLIV. And be it further enacted, That the several publick Roads, Highways, and Bridges, through and over the Allotments of his Majesty, and of the said Master, Fellows, and Scholars, and the Vicar of *Enfield*, within and upon the said Chase, herein-after described and mentioned, together with substantial Gates and Gateways where such Roads open upon and communicate with the said several Parish Allotments, shall be made at his Majesty's Expence; and the said Roads shall contain forty Feet in Breadth, betwixt the Fences thereof, at the least; (that is to say) one Road in the Way from *Southgate* to *Bobun-gate*, commencing at the Boundary of the *Edmonton* Allotment, near the House of Master *Arnold*, and extending Northwards; by *Cock-fosters*, and *West Lodge Farm*, towards *Potter's Bar*, until it meets the Eastern Boundary of the *South Mimms* Allotment; in which Road is or are to be made one or more Bridge or Bridges, as shall be found necessary, for the safe Passage of Carriages over the Brook or Gutter, Brooks or Gutters, betwixt *Sloper's Pond*, *Fenny Slade*, and the *Great Lawn*: One other Road, branching from the said last-mentioned Road near *Bobun-gate*, and extending Northwards for the convenient Occupation of certain Cottages there: One other Road to branch forth from the said last-mentioned Road, near unto *Cock-fosters*, for the convenient Occupation of and Access to the Houses there: One other Road, called *Camlot-way*, commencing at the Eastern Boundary of the *Monken-Hadley* Allotment, near the Town of *Monken Hadley*, and extending from thence Eastward, by *West Lodge Farm*, and *Camlot-moat*, through the Tythe Allotment, towards *New-lane*, until it meets the Western Boundary of the *Enfield* Allotment, in which Road two Carriage Bridges are to be made; (that is to say) one Bridge to pass the Gutter or Brook running from *Monkey-mead Pond* to *Tail Pond*; and the other Bridge to pass the Gutter or Brook crossing the said Road within the Tythe Allotment, near unto the Western Boundary of the *Enfield* Allotment: One other Road, commencing at the North-west Corner or Boundary of the *Enfield* Allotment, to the West of *Cattle-gate*, and extending from thence by *Cooper's Lane-gate*, to the great Turnpike Road at the North End of *Potter's Bar*: One other Road, commencing at the North-west Corner of the *West Lodge Farm*, and extending from thence Westward by *Monkey-mead* towards *Gannick-corner*, until it meets the Eastern Boundary of the *South Mimms* Allotment: One other Road, called *The Ridge-way*, commencing at the Western Boundary of the *Enfield* Allotment, and extending Westward or North-west towards *Potter's Bar* and *Gannick-corner*, until it meets the Eastern Boundary of the *South Mimms* Allotment: And one other Road branching forth from the last-mentioned Road, called *The Ridge-way*, near the Western Corner of the *East Lodge Farm*, and extending Northwards or North-east by Part of *East Lodge* Inclosures, until it meets the Boundary of the *Enfield* Allotment: All which said several Roads or Highways, Gutters and Brooks, are described and delineated on the aforesaid Survey or Plan of the said Chase; and that all other Roads over the Allotments of his Majesty and the said Owners of Tythes, shall be shut up and discontinued.

Roads and Bridges to be made at his Majesty's Expence.

A Description thereof.

XLV. And, for the Purpose of keeping the said several Roads, when so made, in good Repair, be it further enacted, That, from and after the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, all and singular his Majesty's Lodges and Houses upon the said Chase, with all Lands and Inclosures held and occupied therewith; and also all the Lands within the said Chase, which shall become the separate Property of his Majesty, his Heirs and Successors; and also all the Lands assigned to the said Master, Fellows, and Scholars of *Trinity College*, and their Successors and Lessees, and to the Vicar of *Enfield* and his Successors, shall be erected into a several District, and remain for ever a separate and distinct District, in respect to the Highways within the same, from the said Parish of *Enfield*, and from all other Districts, Parishes, Townships and Precincts whatsoever, and shall be called *Enfield Chase District*; and that it shall and may be lawful to and for the Chancellor of his Majesty's Duchy of *Lancaster* for the Time being, within one Calendar Month next after the aforesaid twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, to appoint, by Writing under his Hand, such two Persons, being Tenants or Occupiers of Lands within the said new District, as the said Chancellor shall think fit, to be the Surveyors of the Highways within and for the said District, and such Surveyors shall continue in Office, until the then next Special Sessions of the Justices of the Peace to be held for the Highways within the Limits of the Hundred of *Edmonton*, in the Week next after the *Michaelmas* General Quarter Sessions of the Peace; at which Special Sessions new Surveyors of Highways shall be appointed for the said District, and so continue from Year to Year to be appointed in the Manner directed and prescribed by an Act of the thirteenth Year of his Majesty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the Statutes*

The King's and Tythe Allotments erected into a District for Repair of Roads.

Two Surveyors to be appointed.

tutes now in being for the Amendment and Preservation of the public Highways within that Part of Great Britain called England, and for other Purposes: And that the Persons to be from Time to Time appointed at such special Sessions to be Surveyors of the Highways for the said District, on Refusal to serve the said Office, shall be liable to all the Pains, Penalties, and Duties, by the said Act, or any other Act or Acts respecting Highways, in such Cases imposed or inflicted; or accepting the said Office, shall remain and continue therein, and in all Respects conform themselves to the said Act or Acts, and be deemed and considered in Law, in respect of the said Office of Surveyor of Highways for the said District, as invested with the same Powers and Authorities, and intitled to the same Immunities, and to be in the same Plight and Condition, as in other Districts, Parishes, or Places; and the said District shall, from and after the Appointment of such Surveyors by the Chancellor of the said Duchy, be assessed to the Highways within the same; and such Assessment shall be made, paid, recovered, applied, disposed of, and accounted for, in the same Manner and Form, to all Intents and Purposes, as if the said District had been erected before the passing the said last-mentioned Act: And that no Messuages, Lands, or Tenements, within the said District, or any Part thereof, nor any Tenant or Inhabitant within the same, shall be assessable or chargeable, in respect of the said District, or of any Messuages, Lands, Tenements, or Hereditaments therein, to any Rates or Assessments to the Highways of the said Parish of *Enfield*; or compellable to do any Statute-duty or Labour in the Residue or other Parts of the said Parish of *Enfield*, in respect of any Lands, Tenements, or Hereditaments lying within the said District.

Surveyors, &c.
impowered to
get Materials
from Commons,

XLVI. Provided always, and be it enacted, That it shall and may be lawful to and for the several and respective Persons employed or authorised for the making the several public Roads through and over the said new District, by this Act directed to be made at his Majesty's Expence; and also for any Surveyor or Surveyors of Highways to be appointed within and for the said new District, with their several and respective Servants and Labourers, Horses, Carts, and Carriages, from Time to Time, for the Space of three Years, to be computed from the first Day of *May*, one thousand seven hundred and seventy-seven, to search for, dig, get, take, and carry away, such Stones, Gravel, Ballast, and other Materials, as they shall think fit, within and from such Parts of the several Allotments hereby assigned to the said Parishes of *Enfield*, *Edmonton*, and *Monken Hadley*, as shall remain and be kept in Common as aforesaid, for the forming, making, and completing, the said several new Roads, by this Act directed to be made at his Majesty's Expence as aforesaid; and that such Surveyors and other Persons having the Care of the said Roads, shall, from Time to Time, cause all Holes or Pits, to be made or used in the getting the said Gravel, Ballast, or other Materials, to be sloped down, levelled, filled up, or otherwise effectually secured, in the Manner directed and prescribed in and by the aforesaid Act of the thirteenth Year of his Majesty's Reign; and in Default thereof, every such Surveyor, and other Person or Persons employed in getting such Materials, shall be subject and liable to the several Pains and Penalties in and by the said Act, in such Cases, directed to be imposed and inflicted, any Thing herein contained to the contrary thereof notwithstanding.

filling up Pits,
&c.

Roads over the
other Parts of
the Chace, by
whom to be
made.

XLVII. And be it further enacted, That in case the said several Allotments hereby made to the Freeholders and Copyholders of the said several Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, or any of them, or any Part thereof respectively, shall be inclosed, that then, and on every such Event, proper and sufficient public Highways, of the Breadth of forty Feet at the least, shall be set out, through and over the Lands which shall be so inclosed, to communicate with the Mouths or Ends of the several Roads herein-before described and directed, or as nearly corresponding therewith as conveniently may be; and also fit and convenient private Roads, Ways, Paths, and Passages, for the Use and Occupation of Houses and Lands within the said new District shall be made: And that all the public Roads and Highways within and over such or such Parts of the said Allotments to the said Parishes as shall be so inclosed, shall, from and immediately after such Inclosure, be made and repaired by that Parish to which the Lands so inclosed shall, under this Act, be assessed or assessable to parochial Taxes: Provided always, That in case the said Lines, so delineated on the said Survey or Plan for Roads over any of such Allotments to the said Parishes, shall, on any Inclosure thereof, be found inconvenient, that then, and in every such Case, the Justices of the Peace for the said County of *Middlesex* shall have the like Power and Authority to stop up, change, and turn such Roads, or to alter and vary the Lines described for Roads as aforesaid, as the said Justices would have had in case the Roads had been actually made in the Direction of such Lines, before the passing of the said Act of the thirteenth Year of the Reign of his present Majesty, herein-before mentioned.

Ridge-way Road
to be continued
to Enfield Town,

XLVIII. And be it further enacted, That a public Highway or Road, not less than forty Feet in Breadth, shall, as soon as may be after the passing this Act, be made, at the Expence of the said Parish of *Enfield*, from the Bridge over the *New River*, at or near a Place there called *The Blue Houses*, within the Town of *Enfield*, over and across the said *Enfield* Allotment, to the Western Boundary of the same Allotment, so as to join and communicate with the aforesaid Road called *Ridge-way*, herein-before directed to be made at his Majesty's Expence; and that the Expence of making the said Highway or Road over the said *Enfield* Allotment, shall be paid by the Churchwardens for the Time being of the said Parish of *Enfield*, or their Successors, out of the first Monies which shall be received by them, by virtue of or in consequence of this Act: And that such Road or Way shall afterwards be deemed a public Road or Highway, and be repaired and kept in Repair at the Costs and Charges of the said Parish of *Enfield*, any Thing herein-before contained to the contrary thereof notwithstanding.

Quarter Sessions
may convert
certain private
Roads into pub-
lic Roads,

XLIX. And be it further enacted, That in case any private Roads or Ways shall be made by, or for the Use of the Tenants and Occupiers of any Lands within the said new District, and any of such Roads or Ways shall afterwards be found of public or general Convenience, it shall and may be lawful to and for the Court of Quarter Session for the County of *Middlesex*, with the Consent of the Owners of such respective Roads or Ways, to declare the same, or any of them, by their Order, to be a public Road or Way, or public Roads or Ways, and from thenceforth the same shall be deemed a public Road or Way, or public

lic Roads or Ways, for the free Passage of all his Majesty's Liege Subjects; and shall be from thenceforth repaired at the general Expence of the said District, in the same Manner as other public Roads within the said District are directed to be repaired.

L. And be it further enacted, That as well the King's Majesty, his Heirs and Successors, as the said Master, Fellows, and Scholars of *Trinity College*, and their Successors, and the Vicar of *Enfield*, and his Successors, and the Owners and Proprietors of the said Park and Manor, their Heirs and Assigns, their and every of their Tenants, Grantees, and Lessees; and also all Persons whatsoever who now are, or shall at any Time hereafter become possessed of or intitled unto any of the Lodges within the said Chase, or any Lands held and occupied with the said Lodges, or any Incroachments on his Majesty's Allotments of the said Chase, by what Tenures soever the same are or may hereafter be held, shall be excluded and totally debarred in respect of such their several Lodges, Lands, and Incroachments, within the said Chase, of and from all Claim, Challenge, Title, and Demand whatsoever, of or to any Right of Common upon or within any of the said Parish Allotments, or upon or within the Marshes, Common Fields, or other commonable Grounds, within the Manors or Parishes of *Enfield*, *Edmonton*, *South Mimms*, and *Monken Hadley*, or any of them.

LI. And whereas sundry small Parcels of Land, within and Parcel of the Portions or Allotments of the said Chase; hereby assigned to the several Parishes of *Enfield* and *Edmonton*, have been heretofore inclosed and incroached, and divers Cottages and other Buildings erected thereon: And whereas the Owners, or pretended Owners, of some Part of such Incroachments, have been admitted thereto by Copy of Court-roll, with the Consent of the Homage of the Manor of *Enfield*; and others of such Incroachments are held by Leases thereof granted by his Majesty under the Duchy Seal, to or for the Benefit of the present Possessors thereof, for certain Terms of Years yet to come, at and under divers reserved Rents; and others of the said Incroachments are held by the present Possessors as Tenants at Will, or by the Year, at annual Rents payable to his Majesty for the same, or by Persons whose Titles thereto are not certainly known: And whereas many of the Lessees and Tenants, or other Possessors of the said Incroachments, are poor labouring Persons, some of whom, under an Expectation that they should not be removed therefrom, purchased the Possession thereof for Sums of Money, or have laid out their Substance in erecting Cottages thereon for their Dwellings; therefore, to the End the Title of the several Possessors of such Incroachments, as are held by Copy of Court-roll, may be confirmed; and that all other the Possessors of Incroachments, who have no Leases, may be enabled to obtain Leases thereof, upon the Terms and Conditions hereafter specified; be it further enacted and declared, That the several Grants of Incroachments on the said Chase, at any Time heretofore made by the Steward of the Manor of *Enfield*, by Copy of Court-roll of the said Manor, and now subsisting, and by virtue whereof any Incroachments on the Allotments hereby assigned to the said Parishes of *Enfield* and *Edmonton*, or either of them, are now actually held and enjoyed, shall be good, valid, and effectual; and that the several Cottages, Lands, and Tenements therein respectively comprized and mentioned, shall be, remain, and continue as of the Nature of Copyholds, and be from Time to Time held, surrendered, sold, conveyed, passed, and devised as such, according to the Custom of the Manor of *Enfield*, and be subject to all the Customs thereof, in the same Manner and Form as if such Incroachments had been, from Time immemorial, held and passed by Copy of Court-roll of the said Manor, any Thing contained in the said Act of the first Year of the Reign of Queen *Anne* to the contrary thereof notwithstanding; and that as well all Fines payable to the Lord on Alienations and Admissions of or to such Copyholds, to be assessed by the Steward of the Manor of *Enfield* for the Time being, as all Rents thereout issuing and payable, shall be paid to and be received by the Churchwardens of the said respective Parishes, whose Receipts shall be sufficient Discharges for the same, and shall be applied as herein-after directed; and that in case and so often as any Forfeitures to the Lord shall happen of any Copyhold Tenement within the said Allotment to the said Parish of *Enfield*, every such forfeited Copyhold Tenement, instead of enuring to the Benefit of the Lord, shall become vested, in Fee-simple, in the Churchwardens of the said Parish of *Enfield*, and their Successors, in Trust, for the Benefit of the said Parish, and as Part of their said Allotment.

LII. And be it further enacted, That all and every Lease and Leases, granted by the King's Majesty, or any of his Royal Predecessors, under Seal of the said Duchy, to any Person or Persons whatsoever, of any Incroachments on the said Chase, lying within or being Parcel of the several Allotments hereby assigned to or for the Benefit of the several Parishes of *Enfield* and *Edmonton*, or either of them, for any Term or Number of Years now subsisting, shall remain and continue in full Force, and the King's Majesty's Right and Interest therein shall be vested in the Churchwardens of the respective Parishes of *Enfield* and *Edmonton*, within which such Incroachments are situate, for the Benefit of the said Parishes respectively. Provided always, That all the Rents, reserved in and by such Leases, which shall accrue and become due from and after the twenty-fifth Day of *March*, one thousand seven hundred and seventy-seven, shall be paid and answered by the several Persons claiming the Benefit of such Leases, unto the Churchwardens of the respective Parish to which such Incroachments shall by virtue of this Act belong, to be applied as herein-after mentioned.

LIII. And be it further enacted, That all and singular Persons, who now hold or occupy any Incroachments within the said several Allotments hereby assigned to or for the Benefit of the said Parishes of *Enfield* and *Edmonton*, or either of them, and who shall be desirous of acquiring to themselves a Leasehold Property therein, shall, on or before the twenty-ninth Day of *September*, one thousand seven hundred and seventy-eight, deliver to the Churchwardens of the Parish whereto such Incroachments shall respectively belong, a Proposal or Petition, under the Hand of the Party making the same, for taking a Lease of his or her respective Incroachment for a Term of twenty-one Years; and shall thereby agree to enter into Covenant to pay, by quarterly Payments, to the Churchwardens of such Parish for the Time being, and their Successors, during such Lease, the Rent now payable by him or her to the King's Majesty for such respective Incroachment;

Owners of Lands now Part of the Chase excluded from Rights of Common in Marshes, &c.

Provisions for Possessors of Incroachments on the Parish Allotments.

Confirmation of Grants by Copy of Court-roll.

Confirmation of Crown Leases.

On what Terms Possessors of other Incroachments may obtain Leases.

croachment; or where no such Rent is now payable, to pay by quarterly Payments such reasonable Rent as shall be set thereon by such Churchwardens, together with the major Part of the Inhabitants in Vestry assembled, and shall also agree to enter into Covenant for keeping the Buildings and Fences of the Premises in good Repair, and so to leave the same at the End and Expiration of the said Term; that then, and in every such Case, the said Churchwardens shall, and are hereby authorized and directed to make and execute, unto and at the Costs of every such Person, a Lease of the respective Incroachment so by him or her held or occupied, for a Term of twenty-one Years, commencing on the Day of the Date thereof, with proper Covenants on the Part of the Lessees to the Purport and Effect aforesaid; and that every such Lease shall be valid and effectual.

On what Terms Copyhold Incroachments may be enfranchised;

LIV. Provided always, and be it enacted, That in case all or any of the Persons, who now hold any Houses, Lands, or Incroachments, on the said *Enfield* and *Edmonton* Allotments, or either of them, by Copy of Court-roll of the Manor of *Enfield* (being a Parishioner or Parishioners of the said Parishes of *Enfield* or *Edmonton*, or being the Owner or Owners of any Freehold Estate within either of the said Parishes); shall be desirous of procuring such Houses, Lands, or Incroachments respectively to be enfranchised (such Persons first paying and discharging the Rents and Arrears of Rents now payable by them to the King's Majesty, in respect of such Houses, Lands, or Incroachments, up to *Lady-day*, one thousand seven hundred and seventy-seven) it shall and may be lawful to and for such Person and Persons, on or before the first Day of *January*, one thousand seven hundred and seventy-eight, to pay into the Hands of the Churchwardens of the respective Parish, within which his, her, or their Houses, Lands, or Incroachments, are respectively situate, after the Rate of fifty Years Purchase, or Amount of the gross annual Rent or Rents now payable to the Crown for the same; which Sum or Sums shall be accepted as the Price or Prices of the absolute Enfranchisement of such Houses, Lands, and Incroachments, for or in respect of which such Sum or Sums shall have been so paid; and such Houses, Lands, and Incroachments, shall from thenceforth be deemed of Freehold Tenure, and shall be discharged of all Fines, Rents, and other Payments to the Crown (Suit and Service to the Manor Courts of *Enfield* only excepted).

or the Fee-simple of other Incroachments may be purchased.

LV. Provided also, and be it further enacted, That in case all or any of the Persons who now hold and occupy any Incroachments on the said *Enfield* and *Edmonton* Allotments, or either of them, under any Lease or Leases thereof granted, under the Seal of the Duchy of *Lancaster*, or as Tenant or Tenants at Will, or by the Year, to the King's Majesty at annual or other Rent or Rents (such Lessee or Lessees, Tenant or Tenants, being a Parishioner or Parishioners of the said Parishes of *Enfield* and *Edmonton*, or either of them, or being the Owner or Owners of any Freehold or Copyhold Estate or Estates within either of the said Parishes), shall be respectively desirous of converting their said respective Incroachments into Fee-simple Estates (and first paying and discharging all Rents and Arrears of Rents, due to the King's Majesty, in respect of such Incroachments, up to *Lady-day*, one thousand seven hundred and seventy-seven), it shall and may be lawful to and for such Lessees and Tenants respectively, or any of them, on or before the first Day of *January*, one thousand seven hundred and seventy-eight, to pay into the Hands of the Churchwardens of the respective Parish within which his, her, or their Incroachments are respectively situate, after the Rate of thirty Years Purchase, or Amount of the gross annual Rent or Rents now payable to the Crown for the same; which Sums shall be respectively accepted as the Price or Prices of the Fee-simple and Inheritance of the said respective Incroachments for which the same shall be so paid; and such Incroachments shall, from and immediately after the Payment of such Purchase-money, be vested in Fee-simple in the said several and respective Purchasers thereof, free from all Rents now payable for the same.

Receipts to be given for Purchase Monies.

LVI. And be it further enacted, That, upon Payment of every such Sum or Sums of Money as aforesaid, whether it be for the Enfranchisement of Houses, Lands, or Incroachments, held by Copy of Court-roll as aforesaid, or for the Purchase of the Fee-simple and Inheritance of Incroachments held by Lease or at Will, or by the Year, as aforesaid, the said Churchwardens are hereby authorized and required to give unto every such Person making such Payment as aforesaid a Receipt or Acquittance under their Hands in the Form or to the Effect following; (that is to say)

The Form thereof.

Received the _____ Day of _____ of *A. B.* the Sum of _____ being _____ Years Purchase or Amount of the Rent of _____ per Annum, payable to the Parish of _____ for a certain Incroachment (or certain Incroachments) on *Enfield Chase*, held by him (or her) as Tenant thereof, by Copy of Court-roll (or by Lease, or at Will) in pursuance of an Act of Parliament of the seventeenth Year of the Reign of King *George* the Third, for dividing the Chase of *Enfield*, in the County of *Middlesex*; and for other Purposes therein mentioned; and which Incroachment (or Incroachments) is (or are) marked on a certain Survey or Plan of the said Chase, in the said Act mentioned, with the Number or Figure (or Numbers or Figures) _____ and consisteth (or consist) of _____ Acres, _____ Roods, and _____ Perches of Land (as the Case may be).

Witness our Hands.

Which Receipt or Acquittance, signed as aforesaid, with or without Stamps, and being registered in the Register's Office for the County of *Middlesex*, in the ordinary Course of registering Deeds in the said Office, shall be a sufficient Discharge to every such Purchaser; and the said Register is hereby required to register such Receipts and Acquittances accordingly.

Rights reserved till Fences made.

LVII. And be it further enacted, That until the Fences of the several Allotments hereby assigned in lieu of Rights of Common, and other Rights upon the said Chase, directed to be made at his Majesty's Expence, shall have been made and completed, all Rights of Common upon the said Chase shall remain unaffected, and be enjoyed by the Persons intitled thereto, in as full and ample Manner as if this Act had not been made, any Thing herein contained to the contrary notwithstanding.

LVIII. Provided

LVIII. Provided always, and be it further enacted, That nothing herein contained shall affect, lessen, diminish, prejudice, or take away, the Right of the Vicar of *Enfield*, or his Successors, to any Surplice-fees, Easter-offerings, Oblations, or Obventions, to him or them due or to arise within such Parts of the said Chase as shall by virtue of this Act remain within the Parish of *Enfield*; but such Surplice-fees, Easter-offerings, Oblations, and Obventions, and all other Vicarial Dues and Duties (Tythes of such Parts of the said Chase as are by this Act discharged therefrom; only excepted) shall be paid unto and received by the said Vicar of *Enfield*, and his Successors, in the like Manner and Form as within the other Parts of the said Parish of *Enfield*.

Enfield vicarial
Dues reserved.

LIX. Provided also, and be it enacted, That the Cure of Souls within the several Allotments of the said Chase, by this Act annexed to the said Parishes of *Edmonton*, *South Mimms*, and *Monken Hadley*, shall become and remain Part of the Cure of Souls of the said respective Parishes: And, in Consideration thereof, the Vicar of the Parish of *Edmonton*, and his Successors, within the said Allotment annexed to that Parish; the Vicar of the Parish of *South Mimms*, and his Successors, within the said several Allotments annexed to that Parish; and the Incumbent of the Parish of *Monken Hadley*, and his Successors, within the said Allotments annexed to that Parish; shall severally and respectively have and be intitled to all Surplice-fees, Easter-offerings, Oblations, and Obventions, and other Vicarial Dues and Duties, to arise and accrue within the said several and respective Allotments so annexed to their said respective Parishes (Tythes only excepted), as the Vicar of *Enfield* and his Successors would have been intitled unto, in case the said Allotments had remained Part of the said Parish of *Enfield*.

Dues to the
other Vicars.

LX. And be it further enacted, That it shall and may be lawful to and for any ten or more Persons residing within the several Parishes of *Enfield*, *Edmonton*, and *Monken Hadley* respectively, and assessed to the Poor's Rates thereof respectively, at the Rate of ten Pounds *per Annum* Rent each or upwards, together with the Churchwardens or with the Overseers of the Poor of the said Parish respectively for the Time being, from Time to Time to form such Rules or Orders as shall be thought necessary or expedient for enfranchising to the respective Owners or Possessors such of the said Incroachments within their respective Allotments, as are held by Copy of Court-roll, and for the absolute Sale, leasing, letting, or other Disposition of the Residue of the said Incroachments belonging to the said respective Parishes; so as no such Rule or Order shall be prejudicial to any Tenant or Tenants of any Incroachment or Incroachments, who shall be intitled to and accept the Benefit of the aforesaid Provisions of this Act, in respect thereof; and also for the Inclosure of such Parts and Proportions of the said Allotments hereby assigned to such respective Parishes, not exceeding one-seventh Part thereof respectively, for the Increase and Preservation of Timber and young Trees; and for the making, repairing, and fencing of any Road or Roads on the Borders of, or in, through, or over their respective Allotments aforesaid, so as such Roads be made to contain forty Feet in Breadth at the least; and for agreeing or compounding with the Owners of the Tythes of the said Allotments for the Discharge of such Tythes; and for the Use, Management, Regulation, or Stint of the Commonage of such Parts thereof as shall be kept commonable; and for the Protection or Preservation of the Herbage, Turf, Ground and Soil thereof; and for preserving, raising, cutting down, grubbing up, selling or disposing of the Trees, Woods, Underwoods, Bushes, Fern and Covert which shall become the Property of such respective Parish, growing or to grow upon such respective Allotments; and for setting out and assigning fit and proper Places on the said respective Allotments, for getting Gravel and Ballast for the public Roads of the said respective Parishes; or for Sale of any such Materials for private Uses to any of the Inhabitants thereof; and for the Appointment or Employment of fit and proper Persons to execute such Rules and Orders, and from Time to Time to overlook the Common, and the Trees, Woods, and Fences within the same; and for impounding Cattle having no Right of Common thereon; and for the Disposal and Application as well of the Money which shall arise by the Enfranchisement and Sale of such Incroachments; and the Rents and Profits thereof respectively, or any Part thereof, as of the Money to arise by Sale of any such Trees, Woods, Underwoods, Bushes, Fern, and Covert, Gravel, and Ballast, or otherwise, by virtue and in consequence of this Act; and for directing fit and moderate Penalties to be inflicted on such Persons as shall be guilty of any wilful Breach of any such Rules or Orders, so as no such Penalty shall exceed five Pounds for any one Offence; and from Time to Time, for all or any of the Purposes aforesaid, to call a Meeting or Meetings in Vestry within such respective Parish, by giving Notice thereof in the Parish Church and public Chapel (if any) on the three *Sundays* preceding every such Meeting, immediately after reading the *Nicene* Creed, in order that such proposed Rules and Orders may, at such Meeting, be taken into Consideration by the Persons there assembled; and that every Rule and Order (not being repugnant to Law, nor to any express Provisions contained in this Act) which shall be then and there approved by the major Part of the Persons assembled at such Meeting, intitled to Right of Common upon the Allotment of such Parish, and being confirmed as herein-after mentioned, shall be a good and sufficient Warrant to all Persons acting under the same. Provided nevertheless, That no such Rule or Order shall be valid or effectual before the same shall be confirmed and signed by the major Part of all the Owners and Proprietors of Messuages and Lands within such Parish, intitled to a Right of Common on the Allotment made from the Chase to such Parish, who were assessed to the Land Tax for the preceding Year, at the Rate of ten Pounds *per Annum* Rent each, or more, or their Trustees, Committees, Guardians, Attornies, or Agents; which major Part shall be determined by the Assessment to the Land Tax for such preceding Year. And, until any such Rules or Orders shall be made to the contrary, and confirmed as herein-before is directed, it shall and may be lawful to and for all Persons whatsoever, within the said respective Parishes of *Enfield*, *Edmonton*, and *Monken Hadley* (other than and except such Persons as are herein-before excluded and debarred from any Common on the Parish Allotments), to have, use, enjoy, and take, in and upon the Portion or Allotment hereby assigned to or for the Benefit of the respective Parish within which the Property of such Person or Persons, in respect whereof he, she, or they is or are or shall or may be intitled to such Right of Common, is situate, at all Times whilst the said Portion or Allotment, or any

Powers for the
Parishes to make
Rules and Or-
ders concerning
their respective
Allotments;

Such Rules and
Orders to be
signed by the
major Part of
Land-owners,
&c. assessed to
the Land Tax at
10l. a Year.

Part thereof, shall remain in common to such Parish, such and the same Right of Common, and to and for the same, or the like Number of Horses, Cows, and other Cattle, as such Person or Persons now is or are or would have been intitled to keep and depasture, or to have kept and depastured on the said Chase at large, in case this Act had not been made. And further, That until any such Rule or Order shall be made to the contrary, and confirmed as before directed, all Monies which shall arise and accrue from the said Parish Allotments, by virtue of this Act, shall be from Time to Time received by the Churchwardens of the respective Parishes for the Time being, and shall, together with all Penalties by them to be received under the Authority of this Act, be by them paid over to the Overseers of the Poor of the same Parishes respectively, to be applied in Aid of the Poor's Rate of such respective Parish, save and except the Monies which shall arise and accrue from the aforesaid two hundred Acres (Part of the said *Enfield* Allotment), intended to be inclosed as herein-after mentioned; and also except such Monies as shall be expended in making and completing a certain Road herein-after directed to be made by or at the Expence of the said Parish of *Enfield*; and that all Trespasses, Nuisances, Surcharges, Wastes, and other Offences, which shall at any Time be committed upon any of the said Allotments, after the Fences thereof by this Act directed shall be made and completed, and for which the Offenders, in case the said Chase had remained in its present State, would have been subject to any Indictment, Fine, Amerciament, or other Pain, Penalty, Prosecution, or Punishment, in the Court of the Manor of *Enfield*, or any other Court, or before any of his Majesty's Justices of the Peace, shall and may be presentable and punishable in the same Manner as if the said Chase had remained undivided.

Monies accruing from Parish Allotments, to be paid to Churchwardens, &c. till Order made to the contrary.

Two hundred Acres of *Enfield* Allotment to be inclosed, and Tythe free.

Parish Officers, with Consent of the Vestry, may lease the same.

Qualification of Persons to vote in Vestry.

No Lease to be granted for more than three Lives or ninety-nine Years.

Proper Roads to be left.

Churchwardens of *Enfield* empowered to demise twenty

LXI. And whereas upon the Treaty for the Division of the said Chase between the King's Majesty and the several other Parties interested therein, the aforesaid two hundred Acres, Part of the said *Enfield* Allotment, were agreed to be allotted to the said Parish of *Enfield* (freed from all Tythes), as a Satisfaction for the aforesaid Dismemberment of their said Parish, by the annexing to the said other three Parishes their aforesaid respective Allotments; and that the said two hundred Acres should be inclosed and let out to Tenants, and the Rents and Profits thereof appropriated in Aid of the Land Tax and Pools Rates assessed and raised, and to be assessed and raised, within the said Parish of *Enfield*; be it therefore enacted, That the said two hundred Acres shall be inclosed in that Part of the said Chase, which, after a straight or direct Line to be drawn from *Sanders-corner* to *Postern-corner*, shall lie to the East of such Line; and the said two hundred Acres shall, after the Inclosure thereof, be for ever freed, exonerated, and discharged, of and from all Tythes whatsoever.

LXII. And be it further enacted, That immediately after the passing of this Act, it shall and may be lawful to and for the Churchwardens and Overseers of the Poor of the Parish of *Enfield* for the Time being, or their Successors, to employ or take to their Aid such experienced Surveyor as they shall think fit, and to stake out the aforesaid two hundred Acres of Land into Lots or Parcels, in order to the letting the same by Lease in such Manner as they shall conceive will be most advantageous and beneficial to the said Parish; and to cause a Map or Plan to be made, whereon shall be described or delineated the several and respective Lots or Parcels, and the Quantity by Measure of each and every such Lot or Parcel; and thereupon to call a Vestry of the said Parish of *Enfield*, by giving Notice thereof on three *Sundays* as aforesaid, for the Purpose of taking into Consideration how far such Lots or Parcels are properly laid out; and that it shall and may be lawful, from Time to Time, to and for the major Part of the Inhabitants of the said Parish, then and there assembled in Vestry, to make such Order as to them shall seem meet, for empowering and directing the said Churchwardens to let, set, lease, or demise, the said two hundred Acres, either by private Contract or by public Auction, and in such Lots or Parcels as shall be then and there settled and approved, unto such Persons, and at such annual Rents, and for such Terms or Number of Years, or for Life or Lives, or by the Year, or at Will, and under such Covenants, Conditions, Provisoos, and Restrictions, as shall in and by such Order be directed, expressed, or contained.

LXIII. Provided always, That no Inhabitant of the said Parish assembled in such Vestry, shall have a Voice or be at Liberty to vote for making any such Order for letting the said two hundred Acres, as aforesaid, who shall not be assessed to the Poor's Rate of the said Parish for ten Pounds annual Rent, or upwards: and that no such Order shall be of any Force or Effect, unless there are present at every such Vestry ten or more Freeholders or Copyholders, who are rated and assessed to the Land Tax and Poor's Rates within the said Parish for ten Pounds a Year Rent, or upwards, nor until all and every such Order and Orders be confirmed by a subsequent Vestry of Inhabitants, and such Number of Freeholders or Copyholders respectively, rated as aforesaid, and called by giving such Notice as aforesaid; and that no such Lease or Demise shall be made or granted for any greater or longer Term or Terms than three Lives or ninety-nine Years, and that, on the Renewal of every such Lease or Demise, the Term to be granted in Reversion, together with the Term then in Possession, shall not exceed three Lives or ninety-nine Years; and that no such Lease or Demise shall be valid or effectual, unless the best improved yearly Rent that can be reasonably had or gotten for the same be thereby reserved and made payable, during the Continuance thereof, without taking any Fine, Income, Premium, or Foregift, for or in respect of the making or granting such Lease or Demise; and that every Lessee of the said two hundred Acres shall, at the Time of the granting any such Lease, execute a Counterpart thereof, which Counterpart shall be deposited and kept in the public Chest of the said Parish of *Enfield*.

LXIV. Provided also, That in setting out the said two hundred Acres into Lots, for the Inclosure thereof as aforesaid, there shall be left open for the convenient Approach to the several Houses and inclosed Lands, adjoining to or abutting upon the said two hundred Acres, fit and proper Roads, Ways, and Passages, so that the Owners and Occupiers of the said Houses and Lands may not be damaged or prejudiced by such Inclosure; any Thing herein contained to the contrary notwithstanding.

LXV. And whereas the Right Honourable Sir *Thomas Halifax*, Knight (now Lord Mayor of *London*), is seized of a capital Messuage contiguous to the said two hundred Acres, Parcel of the said Chase here-

by

by directed to be inclosed, and is also intituled to the Use of a certain Conduit or Spring of Water arising upon the said Chase, in the Front or View from the said capital Messuage: And whereas it is fit and reasonable that a suitable Portion of the said two hundred Acres should be set apart to be enjoyed with the said capital Messuage on reasonable and equitable Terms, and the said Conduit and Watercourse maintained and preserved for the Benefit of the Owner and Occupier of the said capital Messuage for the Time being, and for the Benefit of the Inhabitants of the said Town of *Enfield*, as the same is now taken and used; be it therefore enacted, That it shall and may be lawful for the said *Sir Thomas Halifax*, his Heirs or Assigns, to take up and inclose such Portion of Ground, Parcel of the said two hundred Acres, as fronts the said capital Messuage, including the said Conduit or Spring of Water, which shall contain twenty Acres or thereabouts, as the same is for that Purpose marked out, delineated, and described, in and upon the said Map or Survey of the said Chase; which said twenty Acres shall be demised by Lease to the said *Sir Thomas Halifax*, and his Assigns, by the Churchwardens of the said Parish of *Enfield*, or their Successors, for a Term of ninety-nine Years, at and under such annual Rent to be thereby reserved and made payable to the said Churchwardens, and their Successors, for the Benefit of the said Parish, as shall be agreed upon by a Majority of the Parishioners of the said Parish, in Vestry to be assembled, so as such Rent shall not exceed the Rate of thirty-five Shillings *per* Acre, clear of Land Tax, and all Reprisals, and that the said Rent shall be made payable quarterly; and that there shall be contained in such Lease, such Covenants, Provisoos, and Agreements, as are usual in like Cases; and also a special Covenant on the Part of the said *Sir Thomas Halifax*, and his Assigns, to continue, at his and their Costs and Charges, a Pipe and Cock from the Main of the said Conduit, for the Use and Benefit of the Inhabitants of the said Parish of *Enfield*, in the Manner the same is now or hath been used and enjoyed.

Acres to *Sir Thomas Halifax*, for 99 Years;

LXVI. And whereas *Humphry Bache*, of the Parish of *Enfield*, Esquire, is seized of certain inclosed Lands, containing three Acres, or thereabouts, adjoining upon the aforesaid two hundred Acres of Land intended to be inclosed; upon which Lands the said *Humphry Bache* hath erected a capital Dwelling-house, in which he now resides: And to the End that the said *Humphry Bache* may not be injured in his Property, or incommoded with any Erections, Buildings, Annoyances, or Nuisances, that may affect or detriment the same; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said *Humphry Bache* to inclose and take into his Possession the Land adjoining to or surrounding his said Dwelling-house; (that is to say,) The Land lying South of the Road intended to be made from *Parson's-lane-end* Westward on *Enfield Chase*, to another Road which is intended to be made on the South Side of the aforesaid House, about one hundred Yards Distance from the same; and also the Land lying East and abutting on Part of the Land set out for the Owners or Proprietors of the Tythes, and on the West of the Premises belonging to the said *Humphry Bache*, the Land laying about one hundred and forty Yards (be the same more or less) from the same between the two intended new Roads aforesaid; all which are described or delineated on the aforesaid Plan or Survey of the said Chase; all which Lands, to be inclosed by the said *Humphry Bache*, contain together twenty Acres, or thereabouts; which said Lands shall be demised by Lease to the said *Humphry Bache*, and his Assigns, by the Churchwardens of the said Parish of *Enfield*, or their Successors, for a Term of ninety-nine Years, at and under such an annual Rent to be thereby reserved and made payable to the said Churchwardens, and their Successors, for the Benefit of the said Parish, as shall be agreed upon by a Majority of the Parishioners of the said Parish, in Vestry to be assembled; so as such Rent shall not exceed the Rate of thirty-five Shillings *per* Acre, clear of all Taxes and Reprisals, payable quarterly, and that there shall be contained in such Lease, such Covenants, Provisoos, and Agreements, as are usual in like Cases.

and 20 Acres to *Humphry Bache* Esq; for the same Term.

LXVII. And be it further enacted, That all the Rents and Profits which shall arise and accrue from the said two hundred Acres, shall be received by the Churchwardens of the said Parish of *Enfield* for the Time being, and their Successors, and shall (after Payment of the Costs and Charges they shall be actually and necessarily put unto, in and about the surveying, staking out, and letting the same), from Time to Time, at *Michaelmas* and *Lady-day* in every Year, be paid over by them in equal Portions or Moieties, in Manner following; (that is to say,) one Moiety or Half-part of each and every Half-year's Rents and Profits shall be paid to the Overseers of the Poor of the said Parish for the Time being, to be by them applied in and towards the Poor's Rates of the said Parish: and the other Moiety or Half-part of each and every Half-year's Rents and Profits shall be paid over to the Collector of the Land Tax of the said Parish for the Time being, to be by him applied towards the Assessment for the Land Tax within the said Parish.

Application of the Rents of the 200 Acres.

LXVIII. And be it further enacted, That the said Allotment hereby assigned to the said Parish of *Edmonton*, so intended to lie Common for the Benefit of the Freeholders and Copyholders of the said Parish, their Tenants and Lessees, shall, from and after the making and completing the Fences thereof, be shut up from the second Day of *February* in every Year to the twelfth Day of *May* in every Year; and that, during the said Time, no commonable or other Cattle whatsoever shall be turned out, kept, or depastured thereon by any Person whatsoever; and in case any Horses, Cows, or other Cattle, shall, during the Time aforesaid, be found depasturing or straying thereon, the same shall be deemed Trespassers, and be impounded, and the Owners thereof shall be subject to such Penalties as shall, in and by any such Rule or Order, to be made for the Regulation and Management of the said Common, under the Authority of this Act, be directed to be inflicted.

Edmonton Common to be shut up 14 Weeks every Year.

LXIX. Provided always, and be it enacted, That the several Penalties, to be by any such Rules or Orders directed to be inflicted, shall not exceed the Rate of two Shillings *per* Head *per* Day for any Horses, Cows, or other Cattle, which shall be unlawfully kept or turned on any of the said Allotments hereby assigned to the said Parishes of *Enfield*, *Edmonton*, and *Monken Hadley*, whilst the same shall be respectively kept in Common, over and besides the Costs of Conviction; and the same shall be recoverable before any one or more Justice or Justices of the Peace for the County of *Middlesex*, not interested in the Premises, in the Manner herein-after directed; and shall be paid into the Hands of the Churchwardens of the respective

Limitation of Penalties for Cattle trespassing on the Commons.

pective Parishes for the Time being; and shall, together with any other Penalties which shall, under the Directions of this Act, be paid to the said Churchwardens, to be by them applied and disposed of to and for such Uses and Purposes, and in such Manner, as shall, in and by such Rules and Orders, be directed.

Freeholders, &c. to have the same Rights to recover as the Crown would have had.

LXX. And be it further enacted, That the Freeholders, Copyholders, Lessees, and Tenants of the said several Parishes of *Enfield*, *Edmonton*, and *Monken Hadley*, and every of them, shall have full Power and Authority, by Order of Vestry, and in the Name or Names of the Churchwardens of each Parish, to bring, commence, maintain, or defend any Suits or Actions for recovering the Possession of Incroachments, Rents, Monies, or other Matter or Thing, belonging or supposed to belong, or to be due unto such Parish, by Force or Virtue of this Act; or respecting or concerning any Claims or Rights of Common, or other Privileges within any of the said Parish Allotments, or any Trespass or Trespases committed thereon, whilst the same shall remain in Common respectively; and in case of any Trial or Trials of any such Suits or Actions, wherein the Title to any Incroachment or Claim of Common shall be in Question; that then, and in every such Case, such Parish shall have and be intitled to recover and be relieved in as large and ample Manner, and in like Manner and Form, as the King's Majesty, his Heirs or Successors, would have been intitled to Relief, or to have recovered, in case this Act had not been made.

No new Gates to be set up, or Ways made, without Leave of the Vestry. Exceptions.

LXXI. And, for the better Preservation of the several Allotments hereby assigned to the said Parishes of *Enfield*, *Edmonton*, and *Monken Hadley*, or such Parts thereof as shall be kept in Common, and of the Soil and Herbage thereof, be it further enacted, That no Owner or Occupier of any Lands bordering upon or adjoining to the same, or any of them, shall have or be intitled to have, make, or use, any Gates, Ways, and Passages, (save and except such Gates, Ways, and Passages, as have been made and used for seven Years past or upwards, or such as may be necessary to lead into any House or Outhouse, or into any Court or Yard belonging to any House or Outhouse now or hereafter to be erected, or such as may be necessary for the Occupation of any new Inclosures within the said Chase, to be made under the Authority of this Act) without first obtaining an Order of the Vestry of that Parish which may be immediately affected by the erecting, making, or using any such new Gates, Ways, or Passages, authorising or licensing the same; and in case and so often as any Gate, Way, or Passage, shall be erected or used without such Order (except in the Cases aforesaid), it shall be lawful for any Person or Persons, intitled to a Right of Common in and upon the Allotment, or otherwise affected thereby, to make Complaint thereof upon Oath to any one or more Justice or Justices of the Peace for the County of *Middlesex* not interested in the Premises, which Justice or Justices is and are hereby authorized and required to view such Gate, Way, or Passage, and to summon and call the Parties concerned and all necessary Witnesses before him or them, and to examine such Witnesses upon Oath, as such Justice or Justices shall think fit; and thereupon, by his or their Order or Warrant, to cause such Gates, Ways, or Passages, to be wholly taken away, destroyed, or discontinued, and to inflict such Penalty or Penalties on the Person or Persons making the same, not exceeding five Pounds, as such Justice or Justices in his or their Discretion shall think fit; or in case such Justice or Justices shall find that any such Gates, Ways, or Passages, are necessary to be continued for the private Convenience of the Person or Persons making the same, and such Person or Persons shall thereupon give Security, to the Satisfaction of such Justice or Justices, for the Payment to the Churchwardens of the respective Parishes affected thereby, of such an annual Acknowledgment or Satisfaction for the Use of the said Gates, Ways, or Passages, as the said Justice or Justices shall order and direct, then, and in every such Case, it shall be lawful for such Persons to use and continue such Gates, Ways, and Passages, in such Manner, and at such Times or Seasons, and under such Restrictions, as the said Justice or Justices shall think fit, and by his or their Order or Warrant in that Behalf directed.

Penalty on Offenders.

LXXII. And whereas the aforesaid Allotment, herein-before assigned to or for the Benefit of the Freeholders and Copyholders of the Parish of *South Mimms*, adjoins upon and lies open to a Piece of open commonable Ground within and belonging to the said Parish of *South Mimms*, called *Bentley-heath*, or by some other Name or Names, containing eighty-seven Acres, or thereabouts, being Parcel or reputed Parcel of the Manor of *South Mimms*: And whereas the Freeholders and Copyholders of the said Parish of *South Mimms*, and their Tenants, are intitled, in Exclusion of all other Persons, to the like Rights within and upon the said Heath or commonable Ground, as they are intitled unto within and upon the said Chase: And whereas the Right Honourable *James Earl of Salisbury* is Lord of the said Manor of *South Mimms*, and is also Impropriator and Owner of all the rectorial or Great Tythes arising within the said Parish of *South Mimms*: And whereas the Reverend *John Heathfield* Clerk is Vicar, for the Time being, of the said Parish of *South Mimms*, and as such is intitled to all vicarial or Small Tythes arising within the said Parish: And whereas the said *James Earl of Salisbury*, *Thomas Allen* Esquire, *Christopher Bethel* Esquire, and divers other Persons, are Owners and Proprietors of Freehold and Copyhold Lands, Tenements, and Hereditaments, within the said Parish of *South Mimms*, and, by virtue thereof, are intitled to a Right of Common, or other Rights, as well within the said Chase of *Enfield*, as within and over the said Parcel of Waste Grounds: And whereas it will be of Benefit and Advantage to all Persons interested therein, if the aforesaid Allotment of one thousand and twenty-six Acres, and three Perches, Parcel of the said Chase, herein-before assigned to the said Parish of *South Mimms*, and the said Heath or commonable Ground, containing eighty-seven Acres, more or less, making together one thousand one hundred and thirteen Acres, and three Perches (be the same more or less), were deemed and considered as one intire Common or Waste Ground, the Property of the said Parish of *South Mimms*, and divided and set out into specific Shares and Allotments to and amongst the several Persons having Right of Common or other Interests in and upon the same, in order to the Inclosure and Cultivation thereof; be it therefore enacted and declared by the Authority aforesaid, That the said Allotment of the

Recitals in respect of South Mimms Parish.

said

said Chase of *Enfield*, containing one thousand and twenty-six Acres, and three Perches, herein-before assigned to the said Parish of *South Mimms*, and the said Heath or commonable Ground adjoining thereto, containing eighty-seven Acres (be it more or less), shall from henceforth, for the Purposes of dividing, setting out, and allotting the same, as herein-after is directed, be deemed, taken, and considered as one intire Common or Waste Ground belonging to the Freeholders and Copyholders of the said Parish of *South Mimms*.

South Mimms Allotment, and Bentley-heath, to be divided and allotted among the Freeholders, &c.

LXXIII. And be it further enacted, That *George Maxwell* of *Gravelly* in the County of *Hertford*, *John Bicket* of *South Mimms* in the County of *Middlesex*, and *Robert Weston* of *Brackley* in the County of *Northampton*, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Commissioners for dividing, setting out, and allotting the said Common or Waste Ground, containing one thousand one hundred and thirteen Acres, and three Perches (be the same more or less), in Manner herein-after directed.

Commissioners appointed.

LXXIV. Provided always, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (unless it be the Power hereby given of administering Oaths, and of giving Notice of the first Meeting of the said Commissioners) until he shall have taken and subscribed an Oath to the following Effect:

Commissioners to be sworn.

I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the several Powers and Trusts reposed in me as a Commissioner, by virtue of an Act of Parliament, of the seventeenth Year of the Reign of his Majesty King *George* the Third, for dividing the Chase of *Enfield*, in the County of *Middlesex*; and for other Purposes therein mentioned; without Favour or Affection to any Person whomsoever.

Oath of Commissioners.

Which Oath it shall and may be lawful for any one of the said Commissioners to administer to any other of the said Commissioners; and the said Oath, so taken and subscribed by each Commissioner, shall be inrolled in the same Place, and at the same Time, as the Award or Instrument herein-after directed to be made by the said Commissioners, is, in and by this Act, directed to be inrolled.

LXXV. And be it further enacted, That when any one or more of the Commissioners appointed by this Act, or to be elected in Manner herein-after mentioned, shall die, or refuse to act, the surviving or acting Commissioner or Commissioners shall, from Time to Time, within one Calendar Month next after the Death, or Refusal to act, of any such Commissioner or Commissioners, or as soon after as Occasion may require, by Writing under his or their Hand and Seal, or Hands and Seals, appoint one or more Commissioner or Commissioners, not interested in the Inclosure of the said Common or Waste Ground, in the Room of such Commissioner or Commissioners dying, or refusing to act, as aforesaid; and every such Commissioner or Commissioners, so to be appointed, shall have the like Powers and Authorities, by virtue of this Act, as the Commissioner or Commissioners, in whose Place or Places he or they shall succeed, was or were invested with; provided that Notice be given in the Parish Church of *South Mimms* aforesaid, of the Time and Place of every such Election, at least ten Days before the same shall be made.

When Commissioners die, or refuse to act, new ones to be chosen.

LXXVI. Provided also, and be it enacted, That all and every the Powers, Authorities, and Directions, and other Matters and Things by this Act given to, or vested in, or directed to be done and executed by or before the said Commissioners and their Successors, shall and may be done and executed by or before any two of them, and that the Act and Acts of any two of the said Commissioners shall be of as full Force and Effect as if done by or before all the said Commissioners; any Thing herein contained to the contrary notwithstanding.

Two Commissioners to be a Quorum.

LXXVII. And be it further enacted, That the said Commissioners shall, and they are hereby required to give public Notice in the Parish Church of *South Mimms* aforesaid, upon some *Sunday* immediately after Divine Service, and also to affix a like Notice in Writing upon the Door of the said Church, of the Time and Place of their first and every succeeding Meeting for the executing the Powers hereby vested in them, at least six Days before every such Meeting (Meetings by Adjournment only excepted); and that if at any Time appointed for any such Meeting no more than one of the said Commissioners shall attend, then, and in every such Case, such Commissioner shall and may adjourn the said Meeting to such future Day as he shall think fit; and all the Meetings of the said Commissioners for executing the Trusts reposed in them by this Act, shall be held within the said Parish of *South Mimms*, or at some Place or Places within the Distance of ten Miles from the said Parish.

Notice of Meetings, and Limitation of Distance.

LXXVIII. And be it further enacted, That the said Commissioners, shall, as soon as conveniently may be after passing of this Act, make, or cause to be made, a Survey, Admeasurement, and Valuation of the said Common or Waste Ground, which Survey, Admeasurement, and Valuation shall be reduced into Writing, and the Number of Acres, Roods, and Perches, contained in the said Common or Waste Ground, shall be therein specified and described; and the said Survey, Admeasurement, and Valuation shall be verified by the Oath of the Person or Persons making the same (which Oath any one or more of the said Commissioners is and are hereby empowered to administer); and the said Survey, Admeasurement, and Valuation, shall be laid before the said Commissioners at their Meetings to be held in pursuance of this Act.

Survey, Admeasurement, &c. to be made.

LXXIX. Provided always, and be it further enacted, That all Inclosures and Incroachments which were taken from or made upon the said Common or Waste Ground before the twenty-ninth Day of *September*, in the Year of our Lord one thousand seven hundred and seventy-six (save only certain Lands used as a Coney-warren, and certain Lands heretofore inclosed for the fothering his Majesty's Deer) shall not be deemed any Part of the Lands intended to be divided and allotted by virtue of this Act, but shall be deemed the Property of the respective Persons who now enjoy the same, and their respective Heirs, Executors,

Incroachments made before September 29, 1776, to be the Property of the Persons in Possession. Exceptions.

cutors, and *cestuique* Trusts, according to the several Tenures and in Manner herein-after mentioned; (that is to say,) That all such of the said Inclosures and Incroachments as are held by Copy of Court-roll of the Manor of *South Mimms*, and the Manor of *Williotts*, or either of them, shall be continued to be held by the present Copyhold Tenants thereof, to them and their Heirs, by Copy of Court-roll, according to the Custom of the respective Manors whereof they are so held by the Rents and Services therefore due and accustomed; subject nevertheless to the several Trusts, Limitations, Uses, and Estates, in and by such Copies of Court-roll, or by any Deed or Will thereof lawfully declared; and that all the Rest and Residue of the said Inclosures and Incroachments (save and except certain Cottages and Lands held by Lease from the Duchy of *Lancaster* herein-after particularly mentioned) shall be deemed and from henceforth become the Freehold and Inheritance of the respective Persons who now hold and enjoy the same, their respective Heirs and Assigns.

Parish Rents referred.

LXXX. Provided nevertheless, and be it enacted, That all such Rents, or other annual Outgoings, as are now rendered and paid or payable to or for the general Benefit of the said Parish of *South Mimms*, for or in respect of any Incroachments or Inclosures made upon or taken from any Common or Waste Land within the said Manor of *South Mimms*, shall continue to be paid for and out of the said respective Incroachments and Inclosures, to or for the Benefit of the said Parish; and, for the better Recovery thereof, the said Rents shall be, and the same are hereby vested in the Churchwardens of the said Parish of *South Mimms*, and their Successors; and that all other Rents, now paid or payable for or in respect of Inclosures or Incroachments within the said Common or Waste Land, to be inclosed by virtue of this Act, not being of Copyhold Tenure (save and except the Rent of Six Pounds reserved on the Lease herein-after particularly mentioned), shall be discharged, and the said Incroachments and Inclosures be from henceforth freed and exonerated therefrom.

Commissioners to appoint Roads, Fences, Bridges, &c.

LXXXI. And be it further enacted, That the said Commissioners shall and may, and they are hereby empowered and required, in the first Place, to set out and appoint such Public and Private Roads or Ways, and also such Ditches, Mounds, Fences, Common Drains, and Common Sewers, Watercourses, Banks, Bridges, Gates, and Stiles, in, over, or upon the said Common or Waste Ground intended to be divided and inclosed by virtue of this Act, as they in their Discretion shall think requisite, so as all such Public Roads shall be and remain forty Feet in Breadth at the least between the Ditches or Fences, and that the said Private Roads or Ways shall be of such Breadth as the said Commissioners shall order and direct; and all such Public Roads shall be made, and at all Times hereafter repaired, by the said Parish of *South Mimms* (except as herein-after is provided), in like Manner as other Public Roads within the said Parish are made and repaired, or ought so to be; and that the said Private Roads or Ways shall be made at the Expence of such Person and Persons to whom the said Common or Waste Ground shall be allotted, or to whom any Compensation shall be made by virtue of this Act, in such Shares and Proportions as the said Commissioners shall order, direct, and appoint; and that, after such Public and Private Roads or Ways shall be set out and made, it shall not be lawful for any Person or Persons to use any other Roads or Ways, either Public or Private, in, over, through, or upon the said Common or Waste Ground, or any Part or Parts thereof, either on Foot or with any Horses, Cattle, or Carriages; and that all former Roads and Ways, that shall not be set out and appointed as the Roads and Ways through the said intended Inclosure, shall be deemed Part of the Common or Waste Ground to be divided and inclosed by virtue of this Act, and shall be allotted and divided accordingly as Part thereof; and that all Private Ways, Hedges, Ditches, Walls, Fences, Banks, Drains, Bridges, Gates, and Stiles, to be set out, erected, and appointed as aforesaid, shall be made, and at all Times thereafter repaired, cleansed, maintained, and kept in Repair, by such Person or Persons, and in such Manner, as the said Commissioners shall, in and by their Award or Instrument herein-after mentioned, order, direct, and appoint.

At whose Expence Roads to be made and repaired.

Vicarage of South Mimms to be augmented.

LXXXII. And whereas the Inhabitants of the said Parish of *South Mimms* are numerous, and the annual Income of the said Vicarage is inadequate to the Duty belonging to the Vicar thereof; and, in Consideration thereof, the Freeholders and Copyholders of the said Parish are desirous of augmenting the Glebe Land belonging to the said Vicarage with an Allotment from the said Common or Waste Ground; be it therefore enacted, That the said Commissioners shall, and they are hereby authorized and required, in the next Place, to assign, set out, allot, and appoint, unto the said *John Heathfield*, and his Successors, Vicars of the said Parish of *South Mimms*, in Lieu, Satisfaction, and Discharge, as well of all Rights of Common and other Rights of the said Vicarage, within and upon the said Chase of *Enfield*, and the Wastes of the said Parish of *South Mimms*, as of all vicarial or Small Tythes arising within, upon, or from such Part of the said Common or Waste Ground, intended to be inclosed, as before the passing of this Act was within the Parish of *South Mimms*, such Parcel of the said Common or Waste Ground as they shall adjudge (Quantity, Quality, Situation, and Convenience considered) to be equal in Value to twenty-five Acres, upon an Average Value of the Whole of the said Common or Waste Ground so intended to be inclosed; which said Allotment of twenty-five Acres shall be from thenceforth for ever thereafter held and enjoyed by the Vicar of the said Parish of *South Mimms*, and his Successors, as Parcel of the Glebe of the said Parish. Provided always, That it shall be lawful for the Vicar of *South Mimms*, for the Time being, with the Consent of the Patron and Ordinary, to exchange any Allotment of Lands that shall be made to him by virtue of this Act, for other Lands lying and being within the said Parish of *South Mimms* nearer to the Vicarage-house of the said Parish of *South Mimms*; and the Act or Instrument, whereby such Exchange or Exchanges shall be effected, shall be inrolled in the same Place as the Award of the said Commissioners is directed to be inrolled; and all and every such Exchange or Exchanges shall be good, valid, and effectual in Law, to all Intents and Purposes whatsoever.

Vicar, with Consent of the Patron, &c. may exchange Lands allotted to him.

Appointment of the Residue of the Waste.

LXXXIII. And be it further enacted, That the said Commissioners shall, in the next Place, set out, allot, and appoint, unto and for the Owners of all Dwelling-houses, Cottages, and Lands, which, before the passing of this Act, were within and Parcel of the said Parish of *South Mimms*, whether Freehold

or Copyhold, such Allotments or Parcels of the said Common or Waste Ground, as shall, in the Judgment of the said Commissioners (Quality and Situation considered), be equal in Value to the several and respective Quantities after mentioned, upon the Average Value of the whole of the said Common or Waste Ground, in lieu of their Rights and Claims in and upon the same, without having any Regard to the real Value of such Houses or Cottages; (that is to say) To the Owner of every Dwelling-house or Cottage not assessed or rated to the Land Tax, and also to the Owner of every Dwelling-house, Cottage, or Land, assessed or rated to the Land Tax at any annual Value or Sum not exceeding forty Shillings, an Allotment, after the Rate of one Acre and one Quarter of an Acre, on the Average Value of the whole Common, as aforesaid: To the Owner of every Dwelling-house, Cottage, or Land, assessed or rated to the Land Tax at any annual Value or Sum above forty Shillings, and not exceeding five Pounds, an Allotment after the Rate of one Acre and an Half, on the Average Value of the whole Common, as aforesaid: To the Owner of every Dwelling-house, Cottage, or Land, assessed or rated to the Land Tax at any annual Value or Sum above five Pounds, and not exceeding ten Pounds, an Allotment after the Rate of two Acres on the Average Value of the whole Common, as aforesaid: And to the Owner of every Dwelling-house, Cottage, or Land, assessed or rated to the Land Tax at any annual Value or Sum above ten Pounds, and not exceeding fourteen Pounds, an Allotment after the Rate of two Acres and an Half, on the Average Value of the whole Common, as aforesaid. Provided always, That in every Case where any such Owner will not, under the Provisions aforesaid, be intitled to an Allotment of the said Common or Waste Ground, amounting in the whole to three Acres, then, and in every such Case, the said Commissioners shall allot to each and every of such Owners one Quarter of an Acre in Addition to his or her respective Allotment or Allotments. Provided also, That the said Commissioners shall not allot any Part of the said Common or Waste, for or in respect of any Cottage erected on the Waste of the Manor of *South Mimms*, or the Manor of *Williotts*, since the twenty-ninth Day of *September*, one thousand seven hundred and seventy-six.

Allotments for Cottages, &c.

LXXXIV. And be it further enacted, That the said Commissioners shall, and they are hereby authorised and directed to assign, set out, allot, and appoint, all the Residue and Remainder of the said Common or Waste Ground to and amongst the said *James Earl of Salisbury*, and all other the Owners and Proprietors of Messuages, or Dwelling-houses, Lands, and Tenements, within the said Parish of *South Mimms* (the Vicar of the said Parish, and the several Persons to whom such Allotments shall be made under the Provisions aforesaid, only excepted), according and in proportion to the annual Sums or Rates at which the said Owners and Proprietors are, in respect of their several Messuages, Lands, Tenements, and Hereditaments, within the said Parish of *South Mimms*, set, assessed, and rated to the Land Tax for the said Parish (save and except as herein-after is otherwise provided); and that in allotting the same, the said Commissioners shall have due Regard to the Quantity, Quality, Situation, and Convenience of every Person's Allotment and Allotments.

Allotments to other Persons.

LXXXV. Provided always, and be it enacted, That where any Messuages, Dwelling-houses, Cottages, or Lands, in the said Parish of *South Mimms*, being the Property of one and the same Person, shall happen to be assessed and rated to the Land Tax in separate and distinct Sums; then, and in every such Case, the said Commissioners shall consider every such Person as intitled to one gross Allotment, according and in proportion to the whole Amount of such several distinct Assessments, when added together and made one Sum, and not according to such separate or distinct Assessments.

Assessments to be consolidated.

LXXXVI. Provided also, and be it enacted, That in case the said Commissioners shall find that any Owner of two or more Dwelling-houses or Cottages within the said Parish of *South Mimms*, whose Assessments to the Land Tax shall not exceed fourteen Pounds a Year, will not receive, or be intitled under the Provisions aforesaid, to an Allotment in respect of such Dwelling-houses or Cottages, equal, on an Average Value of the whole Common as aforesaid, to the Rate or Proportion of one Acre for each of such Dwelling-houses or Cottages; then, and in every such Case, the said Commissioners shall, and they are hereby authorised and directed to set out, assign, and allot unto every such Owner, after the Rate or Proportion of one Acre for and in respect of each and every of such Dwelling-houses or Cottages, to be taken on an Average Value of the Whole of the said Common or Waste Ground, as aforesaid.

Owners of two or more Cottages to be allotted one Acre for each.

LXXXVII. Provided also, and be it enacted, That every Dwelling-house, Cottage, or Building, under one Roof, though occupied or divided into two or more Dwellings, and being the Property of one Owner or Proprietor, shall be deemed and considered only as one Dwelling-house or Cottage, any Thing herein-before contained to the contrary notwithstanding.

Two Dwellings under one Roof but one Cottage.

LXXXVIII. Provided also, and be it further enacted, That in case the said Commissioners shall find that any Messuage, Dwelling-house, Cottage, or Land, within the said Parish of *South Mimms*, was not assessed or rated to the Land Tax at the Time of passing this Act, on account of the same being untenanted or uninhabited, that then, and in every such Case, every such Messuage, Dwelling-house, Cottage, and Land, shall be intitled to its Share and Proportion of the said Common or Waste Ground, according to the Rate or Assessment at which the same was last set and rated to the Land Tax respectively, any Thing herein contained to the contrary notwithstanding.

Provision for untenanted Houses.

LXXXIX. Provided also, and be it enacted, That in setting out and allotting the said Common or Waste Ground, the Farms and Lands of *Thomas Allen Esquire*, shall be considered by the said Commissioners (in regard the same are let and assessed at an Under-value) as assessed and rated to the Land Tax at fifty Pounds a Year more than the same are really assessed and rated at; and that such of the Farms and Lands, whereof the Corporation called *The Brewers Company* is seized, in Trust for certain charitable Uses (in regard the said Farms and Lands are not assessed and rated to the Land Tax), shall be considered by the said Commissioners as actually assessed and rated to the Land Tax at fifty-six Pounds and ten Shillings a Year, over and above other Farms and Lands of the said Corporation, which are assessed and rated to the Land Tax; and that the Tenement in the said Parish of *South Mimms* belonging to the Parish or to

An Exception as to Mr Allen, the Brewers Company, and Shenley Parish.

the Poor of the Parish of *Sbenley* in the County of *Hertford* (in regard the same is not assessed or rated to the Land Tax), shall be considered by the said Commissioners as actually assessed and rated to the Land Tax at five Pounds a Year; and that the said Commissioners shall allot to the said *Thomas Allen*, his Heirs and Assigns, and to the said Corporation, and to the said Parish of *Sbenley*, their Shares and Proportions of the said Common or Waste Ground accordingly, any Thing herein-before contained to the contrary thereof notwithstanding.

XC. And whereas the said *James Earl of Salisbury* is assessed and rated to the Land Tax within the said Parish, as well for the said Manor of *South Mimms*, as for his Great Tythes and other Tythes, Lands and Tenements, within the said Manor and Parish, and will therefore, under the Provisions aforesaid, become intitled to an Allotment of the said Common or Waste Ground according to such Assessment; be it therefore enacted, That the Allotment to be so made to the said Earl of *Salisbury*, his Heirs and Assigns, shall be deemed, taken, and accepted, in Lieu, Satisfaction, and Discharge, as well of all Right of Common within and upon the said Common or Waste Ground, as of all Right of Soil, and of all rectorial and other Tythes whatsoever, of, from, within, or out of such and so much of the said Common or Waste Ground, as before the passing of this Act was situate within and Parcel of the said Parish of *South Mimms*.

XCII. And be it further enacted, That the said Commissioners, in making the Divisions and Allotments of the said Common or Waste Ground, shall have a due Regard to the Quality and Situation, as well as the Quantity of the Lands so to be divided and allotted, and also to the Conveniency of the Parties concerned; and shall set out the Part or Share of every Person respectively in one entire Plot or Parcel, where the same can be conveniently done, and as near to each particular Person's Lands, Tenements, or Hereditaments respectively, as conveniently may be, without Preference or Partiality to any of the Parties or Persons interested in the said Division and Inclosure; except in the Cases herein-after specially provided for. Provided always nevertheless, That in respect of the particular Situation of the Capital Messuage and Lands of *George Byng* Esquire, called *Wrotham Park*, the said Commissioners shall be and are hereby authorized and required to appoint, allot, and set out, unto the said *George Byng*, his Heirs and Assigns, towards his and their Share and Allotment, so much and such Part of the said Common or Waste Ground as doth abut on the South and West Parts thereof upon *Wrotham Park*, further South upon the Road leading from a House called *The May-pole at Kicks-end*, on the North Part thereof upon the Road leading from *Gannock-corner* to *Green-dragon-lane*, and on the East Part thereof upon the Great North Road leading from *Barnet* to *Hatfield*, and containing fifty-two Acres, or thereabouts; which Part it shall be lawful for the said *George Byng*, his Heirs and Assigns, to inclose and hold in Severalty, when and so soon as the said Commissioners shall, by their Order in Writing, authorize and direct; and, in Consideration thereof, the said Commissioners shall be and are hereby authorized to lay the Residue of the Allotment, appertaining to the Estates and Hereditaments of the said *George Byng* and his Heirs, at any remote Distance from his said Lands and Estates, so as to render the Allotments of all other Persons as advantageous and convenient to them as may be.

XCIII. And be it further enacted, That the several Roads and Footpaths in and over the said Portion of Land herein-before described and directed to be assigned unto the said *George Byng*, and his Heirs, towards his and their Allotment of the said Common or Waste Ground, shall, from and after the Inclosure thereof, and Notice thereof given by the said Commissioners in Writing, under their Hands, by affixing the same upon the most public Door of the Parish Church of *South Mimms* aforesaid, be wholly discontinued; and that, in lieu thereof, the said *George Byng*, his Heirs or Assigns, shall, before the Inclosure of the said Portion of Land, at his and their own proper Costs and Charges, make a good and substantial public Road from the Great North Road leading from *Barnet* to *Hatfield* to the Road leading from *Gannock-corner* to *Green-dragon-lane*, and make a good and substantial Foot-path at or near the present Carriage-road over the said Heath, in such Manner as the said Commissioners shall direct, and to their Satisfaction; and which said Road, hereby so to be made at the Expence of the said *George Byng*, his Heirs and Assigns, shall be, from Time to Time, for the Space of seven Years, to be computed from *Midsummer-day*, one thousand seven hundred and seventy-seven, kept in good Repair and Condition at his and their own proper Costs and Charges; and from and after that Term the said Road shall be kept in Repair at the general Expence of the said Parish of *South Mimms*, and as other Roads in and upon the said Common or Waste Ground are to be repaired; and the said Foot-path shall be for ever repaired at the Expence of the said *George Byng*, his Heirs and Assigns, Owners of *Wrotham Park* aforesaid.

XCIV. Provided always, That in respect to the particular Situation of the Farm and Lands of *John Wyndham Bowyer* Esquire, called *Gannock-farm*, the said Commissioners shall be and are hereby authorized and required to appoint, allot, and set out, unto the said *John Wyndham Bowyer*, his Heirs and Assigns, his or their Share and Allotment, out of such Part of the Common called *Bentley-beath*, as doth abut on the North Part on the said Farm and Lands, on the South Part on the Road leading from *Green-dragon-lane* to *Gannock-corner*, and on the West Part on the Road leading from the said Farm-house to *Green-dragon-lane*; which Part it shall be lawful for the said *John Wyndham Bowyer*, his Heirs and Assigns, to inclose and hold in Severalty when and so soon as the said Commissioners shall, by their Order in Writing, authorize and direct the same.

XCIV. And, for the more convenient Situation and Disposition of the several Lands and Grounds within the said Parish of *South Mimms*, be it further enacted, That it shall and may be lawful to and for the King's Majesty, his Heirs and Successors, and all or any of the Proprietors or Owners of Lands and Grounds within the Parish of *South Mimms* aforesaid, and his, her, or their Guardians, or Persons acting as such, Husbands, Trustees, and Committees respectively, to exchange all or any of his, her, or their Messuages, Tenements, Old Inclosures, or other Lands and Grounds within the said several Parishes of *Erfield* and *South Mimms*, or any Allotment or Allotments, Part or Share of the said Common or Waste Ground,

Earl of Salisbury's Allotment, in discharge of manorial Rights and Tythes.

Commissioners to have Regard to the Quality and Situation of the Lands, &c.

Mr. Byng's Allotment.

Mr. Byng to make a certain Part of the Road, and to keep it in Repair for seven Years.

Allotment to Mr. Bowyer.

Power to exchange Lands.

Ground, to be made under the Provisions of this Act; for any other Messuages, Tenements, Old Inclosures, or other Lands, Grounds, or Allotments, within the same Parishes of *Enfield* and *South Mimms* aforesaid, or either of them, so as all and every such Exchange and Exchanges be made by and with the Consent and Approbation of the said Commissioners, and be ascertained and declared in their said Award, or some Act or Instrument to be inrolled in the same Place as the Award of the said Commissioners is directed to be inrolled, and all and every such Exchange and Exchanges shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever.

XCV. And be it further enacted, That all and every Person and Persons, to whom any Part of the said Common or Waste Ground shall be allotted in pursuance of this Act, shall inclose and well and sufficiently fence and ditch their several and respective Parts, Shares, and Allotments thereof, within such Time and in such Manner as the said Commissioners shall order and direct; and that the said Commissioners, in apportioning and settling the Fences of the said Allotments, shall order and direct a Quick-fence to be made and repaired on each Side of every public Road which shall be set out in, over, and upon the said Common or Waste Ground, by the Owners of the several and respective Allotments abutting upon or adjoining to the said public Roads, and duly apportion the Residue of the Fences for separating such last-mentioned Allotments from the Allotments adjoining thereto, to and amongst the respective Owners thereof accordingly: And in case any Person or Persons shall not inclose, hedge, ditch, or fence, his, her, or their Allotment or Allotments, within such Time and in such Manner as the said Commissioners shall order and direct, then, and in every such Case, it shall and may be lawful to and for the Owner or Occupier of the Lands or Grounds next adjoining to the Allotment or Allotments of the Person or Persons who shall not have so inclosed, hedged, ditched, or fenced the same, as aforesaid, to exhibit a Complaint upon Oath against such Person or Persons before one or more of his Majesty's Justice or Justices of the Peace for the County of *Middlesex*, not being interested in the Lands or Grounds so intended to be inclosed, who is and are hereby impowered and required to summon the Parties concerned, and to examine Witnesses upon Oath, as to the Justice of the Complaint, and order, direct, and appoint the Person or Persons exhibiting such Complaint, to make, repair, and maintain the Hedges, Ditches, and Fences, of the Person or Persons who shall not have so inclosed, hedged, ditched, or fenced as aforesaid; and also shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, directed to the Person or Persons exhibiting such Complaint as aforesaid, cause the Charges and Expences of making, repairing, and maintaining the Hedges, Ditches, or Fences of the Person or Persons who shall not have so inclosed, hedged, ditched, or fenced as aforesaid, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons so neglecting or refusing to pay the same upon Demand, rendering the Overplus (if any), after Payment of such Charges and Expences, and of the Costs and Charges of taking and making such Distress and Sale, to the Owner or Owners of such Goods and Chattels; or otherwise the said Justice or Justices shall and may, by Writing under his or their Hand and Seal or Hands and Seals, authorise and impower the Person or Persons exhibiting such Complaint, to enter into and upon the Premises, so to be allotted to such Person or Persons neglecting or refusing to pay as aforesaid, and to receive and take the Rents and Profits of the same Premises respectively, until thereby or therewith the Charges and Expences of making, repairing, and maintaining the said Hedges, Ditches, or Fences, which ought to have been made, repaired, and maintained by the Person or Persons who shall so neglect or refuse to pay the same as aforesaid, together with the Costs and Charges occasioned by or attending such Entry upon, and Perception of the Rents and Profits of the same Premises, shall respectively be fully paid and satisfied.

Allotments to be inclosed, &c.

Penalty on Persons neglecting to inclose.

May be levied by Distress, &c.

XCVI. And be it further enacted, That convenient Gaps and Openings shall be left in the Fences and Inclosures of the said Common or Waste Ground, to be made by virtue of this Act, for the Space of twelve Calendar Months next ensuing the Execution of the said Award, for the Passage of Cattle, Carts, and Carriages, in and through the same, unless the said Commissioners shall order and award to the contrary, and then for such Time only as they shall so order and award; and that all and every the Proprietors of the said new Inclosures shall have full Power and Liberty to erect or set up any Gate or Gates across any Part of the Road or Roads to be made through or against his, her, or their Allotments, for keeping out Sheep and Cattle, and to prevent their destroying any Banks, Drains, Plants, Quicksets, or Fences, which shall be made or planted for the Purposes of this Act, for the Space of seven Years.

Gaps to be left in the Fences.

XCVII. And be it further enacted, That all and every Person and Persons intitled to any such Allotment or Allotments of the said Common or Waste Ground as aforesaid, shall, and they are hereby required to accept his, her, and their respective Allotments within the Space of three Calendar Months next after the Execution of the said Award or Instrument, and Notice in Writing affixed on the Door of the Parish Church of *South Mimms* aforesaid for that Purpose, under the Hands of the said Commissioners: And in case any Person or Persons shall refuse or neglect to accept his, her, or their Allotment or Allotments within the Time before mentioned, such Person or Persons, so neglecting or refusing, shall be totally excluded from having or receiving any Benefit or Advantage from any Estate, Interest, or Right of Common whatsoever, of, in, or to any of the Lands or Grounds so assigned or allotted to any other Person or Persons by virtue of this Act.

Allotments to be accepted within a certain Time.

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

Guardians, &c. may accept.

Non-acceptance of Guardians not to prejudice Infants, &c.

Non-claim or Non-acceptance of any Guardian, Husband, Trustee, Committee, or Attorney, shall not exclude or prejudice the Claim or Acceptance of any Infant, Feme-covert, or any other Person under such Disability or Incapacity as aforesaid, who shall claim or accept, within one Year next after such Disability or Incapacity shall be removed, or of any Person or Persons intitled as Heir, or in Remainder or Reversion after the Death of any Person or Persons dying under such Disability or Incapacity, who shall claim or accept within one Year after his, her, or their Right, Title, or Interest, shall have descended, vested, or accrued.

This Act not to affect Wills or Settlements, &c.

XCIX. Provided also, and be it enacted and declared, That nothing herein contained shall extend, or be construed, adjudged, deemed, or taken, to revoke, make void, or annul any Settlement, Deed, Will, or Lease whatsoever, or to prejudice any Person or Persons having any Right or Claim of Dower, Jointure, Rent, Service, Debt, Charge, or Incumbrance in, out of, upon, or affecting the said Common or Waste Ground to be divided and inclosed as aforesaid, or any Part or Parcel thereof; but that the several Shares and Allotments, so to be assigned and allotted upon such Division and Inclosure thereof to the several Proprietors respectively, shall, immediately after such Allotments shall be made and set out, be, remain, and enure, and be held and enjoyed, and the several Persons, to whom the same shall be assigned and allotted as aforesaid, shall from thenceforth stand and be seized and possessed thereof respectively to such and the same Uses, and to and for such and the same Estates, and with such and the same Powers and Authorities for making Leases and otherwise, and subject to the same Wills, Limitations, Conditions, Settlements, Trusts, Provisoes, Remainders, Reversions, Debts, Charges, and Incumbrances (Right of Common under any subsisting Lease or Leases, and Allotments to be made in lieu thereof, only excepted), as the several Messuages, Dwelling-houses, Cottages, Lands, Tenements, or Hereditaments, in respect or in lieu whereof such Allotments were made to them respectively, were and stood severally limited, or subject and liable unto at the Time of making such Allotments respectively.

Allotments to be Freeholds.

C. Provided always, and be it further enacted, That all and every the Allotments of the said Common or Waste Ground, which shall, by virtue of this Act, be set out, assigned, and allotted to the said Owners and Proprietors, in respect as well of their Freehold as of their Customary or Copyhold Messuages, Dwelling-houses, Cottages, and Lands, within the said Parish of *South Mimms*, shall be deemed, considered, and taken as of Freehold Tenure, and not of Copyhold or Customary Tenure, any Thing herein contained to the contrary notwithstanding.

Allotments to be the immediate Property of the Landlords.

CI. And be it further enacted, That all the Allotments to be made of the said Common or Waste Ground by virtue of this Act, in respect of any Messuages, Dwelling-houses, Cottages, or Lands, held by Lease or Leases at Rack-rent, or for which Leases no Fines were paid to the Grantors as the Considerations for the same, shall be allotted unto and held by the several Owners and Proprietors of such Messuages, Dwelling-houses, Cottages, and Lands, freed and discharged from all Right or Claim of such respective Lessees to, in, or upon the said Allotments, or any Part thereof, to be derived under or by virtue of such Leases; and in case any of such Lessees shall think himself, herself, or themselves aggrieved thereby, and such Landlords and Tenants shall not settle the same to their mutual Satisfaction, then, and in every such Case, it shall and may be lawful to and for the said Commissioners, on Application to them made by either Party, to take the Matters in question into their Consideration, and by their Order to make unto every such Lessee, for his, her, and their Loss of Commonage, or other Losses by means of the said Division, such a fair and adequate Allowance, by way of Abatement or Reduction in the Rack-rents, by such Leases reserved, as the said Commissioners shall think just and equitable.

Lessees may appeal to Commissioners.

Tenants for Life, &c. empowered to borrow Money to inclose, &c.

CII. And be it further enacted, That it shall and may be lawful to and for the Husbands, Guardians, Trustees, or Committees, of the said Owners or Proprietors, being under Coverture, Minors, Idiots, Lunatics, or beyond the Seas, or being under any other Disability whatsoever, and to and for any of the said Proprietors being Tenants in Tail or for Life only, by and with the Consent of the said Commissioners testified in Writing under their Hands and Seals, from Time to Time, to charge their respective Allotments of the said Common or Waste Ground with such Sum or Sums of Money as the said Commissioners shall, in their Discretion, judge necessary for the Purposes of this Act, not exceeding the Rate of forty Shillings per Acre; and, for securing the Repayment of such Sum or Sums of Money with Interest, to grant, mortgage, lease, or demise, or otherwise subject the said Allotments unto such Person or Persons as shall respectively advance and lend such Money, his, her, and their respective Executors, Administrators, and Assigns, to or for any Term or Number of Years, so as every such Grant or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered, when such Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be fully satisfied and paid, and so as in every such Grant or Demise which shall be made by any Person or Persons interested in or intitled to any such mortgaged Premises for the Term of his, her, or their natural Life or Lives only, or by his, her, or their Guardian or Guardians, Trustee or Trustees, Committee or Committees, there be contained a Covenant to pay and keep down the Interest of the said Money to be thereby secured during his, her, or their respective Life or Lives, in such Manner that no Person afterwards becoming possessed of such Allotments shall be subject or liable 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; and every such Grant, Mortgage, Lease, or Demise, of the said Allotments and Premises, or any Part or Parts thereof, so to be made in pursuance of this Act, shall be good, valid, and effectual in the Law, for the Purposes thereby intended, notwithstanding the Want of Title in the said Husbands, Guardians, Trustees, or Committees, or in the Persons acting as such, or in the said Tenants in Tail or for Life, or any Settlement, Will, Trust, Use, Remainder, Limitation, or other Impediment or Incumbrance, or of concerning the said Lands, Grounds, or Premises, or any Part or Parcel thereof then in being, or capable of taking Effect, to the contrary: And all and every such Person and Persons, to whom any such Grant, Mortgage, Lease, or Demise, shall be made, or who shall for the Time being be intitled to the Money thereby to be

and to mortgage the Allotments for a Security.

Interest to be kept down.

Mortgages, &c. may be assigned.

secured,

secured, shall and may, from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of two or more credible Witnesses, assign or transfer the said Security or Securities, and the principal Money and Interest thereby secured, and all Benefit and Advantage thereof, and all his, her, or their Right, Title, and Interest, in and to the same, unto any Person or Persons whomsoever, who may again in like Manner assign the same, and so from Time to Time as Occasion shall require; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, or their Executors and Administrators, and all Persons claiming under him, her, or them, shall and may use, take, and pursue all such Methods in Law and Equity for recovering and obtaining Possession of the Premises so to be mortgaged, demised, or assigned as aforesaid, in case of Non-payment of the Principal Money and Interest to be thereby secured, or any Part thereof, as is or are taken and pursued in Cases of the like Nature.

CIII. And be it further enacted, That, as soon as conveniently may be after the said Commissioners shall have completed and finished the Division and Allotments of the said Common or Waste Ground, pursuant to the 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, specify, and contain the Quantity and Number of Acres, Roods, and Perches, of the said Common or Waste Ground assigned and allotted to each and every of the Parties intitled to and interested in the same respectively, and a Description of the Situation, Buttals, and Boundaries of the same Parcels and Allotments respectively, and proper Orders and Directions for fencing and mounding the same, and for keeping the said Mounds and Fences in Repair, and also for making, laying out, and repairing proper Roads, Ways, Common Drains, Sewers, Watercourses, and Passages in and through the same Premises, and also all such other Orders, Regulations, and Determinations, as shall be necessary or proper to be inserted therein, respecting or concerning the several Powers and Trusts by this Act reposed in them, according to the Tenor or Purport thereof; which said Award or Instrument shall be fairly ingrossed or written on Parchment, and signed and sealed by the said Commissioners, and shall, within six Calendar Months next after the same shall be so signed and sealed as aforesaid, be inrolled in his Majesty's Court of Duchy Chamber of *Lancaster*; and after the Inrolment thereof, the said original Award shall be kept and deposited in the Parish Chest of the said Parish of *South Mimms*, to the End Recourse may be had to the same by any Person or Persons interested in the said intended Division and Inclosure; for the Inspection and Perusal whereof the Sum of one Shilling shall be paid, and no more; and a Copy thereof, or of the Inrolment thereof, or of any Part or Parts thereof, shall, from Time to Time, and at all Times thereafter, be admitted and allowed in all Courts whatsoever as legal Evidence; which Copy the Clerk of the Council of the Duchy of *Lancaster*, or his Deputy, or the Vestry-clerk of the said Parish for the Time being, is and are hereby respectively required to make and deliver to any Person or Persons requiring the same, he, she, or they paying for such Copy, to the said Vestry-clerk, after the Rate of Two-pence *per* Sheet, each Sheet containing seventy-two Words, and so in proportion for any Number of Sheets or Words; and the said Award or Instrument so to be executed, or the Inrolment thereof as aforesaid, shall be, and is hereby declared to be, binding and conclusive unto and upon all and every of the Parties interested in the said Common or Waste Ground so intended to be divided and inclosed as aforesaid.

Commissioners to make an Award.

Award to be ingrossed, and inrolled in the Duchy Court.

CIV. And be it further enacted, That all Right of Common in, over, and upon the said Common or Waste Ground, so intended to be divided and inclosed, shall, from and after such Time as the said Commissioners shall order and direct, cease, determine, and be for ever extinguished.

Right of Common, &c. to cease.

CV. And whereas by Indenture under the Seal of the Duchy of *Lancaster*, bearing Date on or about the third Day of *July*, one thousand seven hundred and seventy-one, the King's Majesty, for the Considerations therein mentioned, did grant and demise unto *Thomas Nuthall* Esquire (since deceased), amongst other Incroachments, All that Cottage or Dwelling-house, with the Appurtenances, situate upon the said Chase of *Enfield*, adjoining to the Road leading from *Barnet* to *Hatfield*, now in the Occupation of *William Bastick*, with two Pieces of Garden Ground behind the same, containing one Rood and twenty Perches, together with another Cottage adjoining thereto, now in the Occupation of *Elizabeth Tyler* and *Thomas Paternoster*, with a Garden and Close contiguous thereto, containing one Acre, one Rood, and five Perches; and also certain Lands within and Parcel of the said Chase, therein described to have been then and for some Time past used as a Coney-warren, together with Licence to keep a Stock of Coneys thereon; and also one Cottage or Dwelling-house near the Chase-pound, now occupied by *Charles Woods*, with seven Acres of Land thereto adjoining; To hold the same unto the said *Thomas Nuthall* and his Assigns, from the Date of the said Lease, for the Term of thirty-one Years, under the yearly Rent of six Pounds: And whereas the said Coney-warren, Cottages, and Lands, lie within and are Parcel of the Portion or Allotment of the said Chase, by this Act assigned to the said Parish of *South Mimms*: And whereas the said Cottage or Dwelling-house near the Chase-pound, and the said seven Acres of Land, are now vested in *John Nicoll* Esquire, for the Remainder of the said Term of thirty-one Years, subject to the whole of the said Rent of six Pounds; and the Residue of the said Leasehold Premises herein-before particularly described are vested in *Francis Russell* Esquire, for the Residue of the said Term of thirty-one Years therein to come and unexpired: And whereas the destroying of the said Coney-warren will be of Benefit to the said Allotment: Be it therefore enacted, That the said Lease, so far as the same relates to the said Coney-warren, shall, from and after the first Day of *October*, one thousand seven hundred and seventy-seven, be vacated, determined, and extinguished, and the said Coney-warren become, remain, and be considered as Part of the said Common or Waste Ground, and be allotted and inclosed as Parcel thereof, freed and absolutely discharged from the said yearly Rent of six Pounds.

The Lease of the Coney-warren to be vacated from Oct. 1, 1777.

CVI. And be it further enacted, That the said Rent of six Pounds reserved by the said Lease shall be charged and chargeable upon the said Cottage in the Occupation of the said *Charles Woods*, and the said seven Acres of Land thereto adjoining, and be paid by the Lessee thereof unto the Overseers of the Poor

For selling Mr. Nicoll's Cottage and Land.

of

of the Parish of *South Mimms*, to be by them applied towards the Poor's Rate of the said Parish, until the said Cottage and seven Acres of Land shall be sold and disposed of, in Manner herein-after directed; and that the said Commissioners shall, as soon as conveniently may be after the passing of this Act, set a fair Price upon the Fee-simple and Inheritance of the said Cottage and Land (subject to the Term therein to come under the said Lease): And in case the said *John Nicoll*, or his Assigns, shall be desirous to become the Purchaser of the Fee-simple and Inheritance of the said Cottage and Land, at the Price so set thereon by the said Commissioners, they the said Commissioners shall, and they are hereby required to accept the same of the said *John Nicoll*, or his Assigns, in full for the absolute Purchase of the Fee-simple and Inheritance thereof; and the Receipt of the said Commissioners for such Purchase-money shall be deemed and taken as a sufficient Title to vest in the said *John Nicoll*, his Heirs and Assigns, the absolute Fee-simple and Inheritance of the said Cottage and Lands, freed and discharged from the said reserved Rent; but in case the said *John Nicoll*, or his Assigns, shall decline such Purchase of the Premises, then, and in such Case, the said Commissioners shall sell and dispose thereof, in one entire Lot by public Auction, at one of their public Meetings, upon fourteen Days previous Notice to be given by Advertisement in *The London Gazette*, and affixing a Copy of such Notice or Advertisement upon the Church-door of the said Parish of *South Mimms*, on the two Sundays immediately preceding such Sale; and that the Receipt of the said Commissioners for the Purchase-money shall be a sufficient legal Title to vest the absolute Fee-simple and Inheritance of the Premises (subject to the said Lease), in the Purchaser or Purchasers thereof, his, her, and their Heirs and Assigns.

For Sale of Mr. Russell's Cottages and Lands.

CVII. And be it further enacted, That in case the said *Francis Russell*, or his Assigns, shall be desirous of purchasing the Fee-simple and Inheritance of the Premises so occupied by the said *William Baskick*, *Elizabeth Tyler*, and *Thomas Paternoster*, and the Gardens and Close thereto adjoining, with their Appurtenances, and shall, on or before the first Day of July, one thousand seven hundred and seventy-seven, pay into the Hands of the said Commissioners the Sum of one hundred Pounds as the Purchase-money for the same, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and directed to accept thereof in full for the absolute Fee simple and Inheritance of the said Messuage, Dwelling-house, Tenement, Cottages, Buildings, Gardens, Yards, and Close thereto adjoining, with their Appurtenances, and that the Receipt of the said Commissioners for the said Purchase-money shall be deemed and taken as a sufficient Title to vest in the said *Francis Russell*, his Heirs and Assigns, the absolute Fee-simple and Inheritance thereof respectively; but in case the said *Francis Russell*, or his Assigns, shall not pay the said Sum of one hundred Pounds to the said Commissioners within the Time above limited for that Purpose; then, and in such Case, the said Commissioners shall, and they are hereby authorized and required to sell and dispose of the Fee-simple and Inheritance of the said Messuage, Dwelling-house, Tenement, Cottages, Buildings, Gardens, Yards, Close, and Premises last-mentioned, in like Manner, and with the like Powers, as is or are herein-before directed and given for Sale by public Auction of the said other Cottage and seven Acres of Land, subject nevertheless to the said Lease thereof, subsisting as aforesaid.

Valuation of Timber to be made, on Oath.

CVIII. And be it further enacted, That when and so soon as the said Commissioners shall have staked and set out the several Allotments of the said Common or Waste Ground in Manner herein-before directed, the said Commissioners shall, and they are hereby required to cause and procure a fair Valuation of all Oak, Ash, Elm, Beech, and Hornbeam Trees standing upon each separate Allotment (except such Trees as are herein-before reserved to the King's Majesty), to be made and taken by some able and experienced Person well skilled in the Value of Timber and Wood, whom they shall nominate and appoint for that Purpose; which Valuation shall be reduced into Writing, and signed by the Person making the same, and shall be verified and authenticated by the Oath of such Person (and which Oath the said Commissioners are hereby empowered to administer to him), in the Words or to the Effect following:

The Oath.

‘ I *A. B.* do swear, That the Account in Writing, signed by me, and now produced and delivered by me to the Commissioners named and appointed in and by an Act of Parliament of the seventeenth Year of the Reign of his Majesty King *George the Third*, for dividing the Chase of *Enfield*, in the County of *Middlesex*; and for other Purposes therein mentioned; purporting to be a Valuation of the Oak, Ash, Elm, Beech, and Hornbeam Trees standing on certain Allotments of Land heretofore Part of the said Chase, is and containeth a true and faithful Valuation or Estimate of all the Oak, Ash, Elm, Beech, and Hornbeam Trees standing on each respective Allotment therein mentioned, according to the best of my Skill and Judgment; and that the same was made by me without Favour, Affection, or Prejudice to any Person whatsoever.’

Commissioners to notify the Value of the Trees on each Person's Allotment.

If Owners of Land decline the Purchase, the Trees to be sold by public Auction.

CIX. And be it further enacted, That the said Commissioners shall, as soon as conveniently may be after the taking of such Valuation and Estimate, give unto each Owner or Proprietor an Account in Writing of the Value so set on the said Trees, on his, her, or their respective Allotment, and appoint a Day and Place for every such Owner and Proprietor to agree with the said Commissioners for the Purchase of the said Trees, giving every such Owner or Proprietor the Refusal of the said Trees standing on his or her Allotment, at the Valuation or Price so set thereon: And in case any of such Owners or Proprietors shall decline the Purchase of the said Trees at the said Valuation, then, and in such Case, the said Commissioners shall proceed to sell and dispose thereof by public Auction, in like Manner as is herein-before directed for the Sale of the said Cottage and Land; and the Persons who shall be the best Bidders shall be declared the Purchasers of the said Trees, and shall be allowed, on Payment to them of the Monies agreed to be given for such Trees, such reasonable Time, not exceeding six Calendar Months, for cutting down and removing the same, as the said Commissioners shall, by their Order, direct and appoint; and that the said Purchasers shall not be liable to any Action of Trespas or Damages whatsoever, doing therein no wilful Waste or Spoil.

CX. And

CX. And be it further enacted, That all the Monies which shall arise and be paid into the Hands of the said Commissioners, by the several Sales of the said Cottage, Land, Timber, and Trees aforesaid, shall be made a Fund, and applied and appropriated by them in or towards Payment and Discharge of all the Costs and Expences attending such Sales, and of surveying, planning, measuring, valuing, dividing, allotting, and setting out of the said Common or Waste Ground, and of the making the several public Roads and Ways over the same (save and except the said Road and Footpath herein before directed to be made by the said *George Byng*, his Heirs and Assigns, Owners of *Whatham-park*), and of the preparing, making, and inrolling the said Award or Instrument of the said Commissioners, and all the Charges and Expences incident to and attending the Execution of the several other Powers and Trusts by this Act vested or reposed in the said Commissioners: And in case the said Fund shall be more than sufficient for the Purposes aforesaid, then, and in such Case, the said Commissioners shall pay the Overplus into the Hands of the Overseers of the said Parish of *South Mimms* for the Time being, to be by them carried to their Account of Poor's Rate, and laid out and applied in Aid of the Poor's Rate, within the said Parish of *South Mimms*; but in case the said Fund shall be insufficient for those Purposes, then such Deficiency shall be borne, paid, and defrayed by the several Persons to whom any Allotment of the said Common or Waste Ground shall be made by virtue of this Act, in Proportion to the real Value of their respective Allotments, and the Benefits arising therefrom (save and except the said *John Heathfield*, and his Successors, Vicars of the said Parish of *South Mimms*, and also save and except such of the Owners and Proprietors of Cottages and Lands within the said Parish, as are not rated to the Land Tax at ten Pounds a Year, or upwards); all which Charges, Costs, and Expences, shall be settled, adjusted, and ascertained by the said Commissioners, and shall be paid to such Person or Persons, and at such Time or Times as the said Commissioners shall for that Purpose nominate, direct, and appoint; and in case any of the Persons aforesaid shall refuse or neglect to pay his, her, or their Share or Proportion, Shares or Proportions, of such Charges and Expences, within the Time to be limited by the said Commissioners, to such Person or Persons as they shall appoint to receive the same, then the said Commissioners shall and may, by Warrant or Warrants 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, or of the Goods and Chattels which shall be found upon his, her, or their respective Allotment or Allotments, 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 to enter into and upon the Premises so to be allotted to such Person or Persons refusing or neglecting to pay as aforesaid, and to receive and take the Rents and Profits thereof, until thereby or therewith the Share or Shares, Proportion or Proportions of the said Costs and Charges so directed, awarded, and appointed, by the said Commissioners, to be paid by any such Person or Persons as aforesaid, and also all Costs, Charges, and Expences occasioned by or attending such Entry upon, and Perception of the Rents and Profits of the Premises, shall be fully paid and satisfied.

Application of Purchase-money of Land, Timber, &c.

In case of Deficiency, how the same shall be supplied.

CXI. And be it further enacted, That every of the said Commissioners, who shall act in the Execution of the Trusts and Powers hereby vested in them as aforesaid, shall be paid the Sum of one Pound, eleven Shillings, and Sixpence, for each Day he shall be employed therein, the same to be in full Satisfaction for all the Trouble and Expences which he shall be put unto in executing the same.

Allowance to the Commissioners.

CXII. And be it further enacted, That the said Commissioners shall, and they are hereby required to account as well for all Monies, which, by virtue of this Act, shall come to their Hands, as for all Monies which they shall lay out and assess upon the Parties concerned in the said intended Inclosure of the said Common or Waste Ground; which Account shall be by them stated and set forth in their said Award, or in some Schedule to be annexed to the same, or Indorsement to be made thereon, and shall express and particularize in a Debtor Column or Side, all Sums of Money received by them, and of whom, by Name, and on what Account; and also the Names of the several Persons whom they shall so assess, with the Sums so assessed on or to be paid by them respectively, and on what Account or for what Purpose; and in a Creditor Column or Side, an Account of the Application of all Monies so received, assessed, raised, and paid, and on what Account and for what Purposes respectively.

Commissioners to account, &c.

CXIII. And whereas the Corporation commonly called *The Brewers Company*, in the City of *London*, is seized of the Manor of *Williots* within the said Parish of *South Mimms*: And whereas divers small Cottages and Gardens, situate on the East Side of the Great North Road leading towards *Hatfield*, at or near *Potter's Bar*, are held, by sundry Persons, to themselves and their Heirs, by Copy of Court-roll, of the said Manor of *Williots*; and it may be for the Benefit and Convenience of these Copyholders to enfranchise the same; be it therefore enacted, That it shall and may be lawful to and for the said Corporation to treat and agree with the said Copyhold Tenants, or any of them, for enfranchising to such Tenants, and their Heirs, their several and respective Copyhold Tenements, situate on the said East Side of the said Great North Road, at or near *Potter's Barr* aforesaid, at and for such Prices or Considerations as shall be agreed upon by and between the said Corporation and the said respective Copyhold Tenants; and thereupon it shall and may be lawful to and for the said Corporation, by Writing sealed with their Common Seal, to enfranchise the same to the said Tenants; and which Writing shall be effectual for that Purpose in the Words or to the Effect following:

Brewers Company to enfranchise their Copyhold Tenements, &c.

KNOW all Men by these Presents, That we the Master and Keepers or Wardens and Commonalty of the Mystery or Art of Brewers of the City of *London*, Lords of the Manor of *Williots*, in the Parish of *South Mimms*, in the County of *Middlesex*, in pursuance and by virtue of an Act of Parliament, made in the seventeenth Year of the Reign of his Majesty King *George the Third*, for dividing the Chase of *h.nfield*, in the County of *Middlesex*; and for other Purposes therein mentioned; in Consideration of the Sum of _____ paid to the said Corporation, *A. B.* one of the Copyhold Tenants, have enfranchised,

Form of Enfranchisement.

franchised, and do by these Presents enfranchise unto the said *A. B.* and his Heirs, all that Messuage, Cottage, or Dwelling-house, Garden, Lands, and Appurtenances, held by Copy of Court-roll of the said Manor by him the said *A. B.* situate at or near *Potter's Barr*, in the Parish of *South Mimms*, in the County of *Middlesex*; to hold the same unto the said *A. B.* his Heirs and Assigns for ever, in Fee-simple, freed and discharged from all Rents, Suits, and Services whatsoever. In Witness whereof, the said Corporation have hereunto caused their Common Seal to be affixed, this Day of
 one thousand seven hundred and seventy

Mimms Allotment to be a Seignior.

Its Name.

CXIV. And, for the greater Ease and Convenience of the present and future Freeholders, Tenants, Reliants, and Inhabitants of and within the said Allotment of this said Chafe by this Act assigned to the Parish of *South Mimms*, be it further enacted, That the said Allotment of one thousand and twenty-six Acres and three Perches, by this Act assigned to the said Parish of *South Mimms*, shall, from and immediately after the passing of this Act, be and become, and shall from thenceforth be erected into, and shall for ever remain, in the Hands of our Sovereign Lord the King, his Heirs and Successors, as Parcel of the Duchy of *Lancaster*, a several Manor and Seignior, and be perpetually called and known by the Name of *The Manor of New Mimms*, dissevered and disjoined from the Manor and Lordship of *Enfield*; and that the King's Majesty, his Heirs and Successors, shall and may from thenceforth for ever thereafter, by his and their Stewards, Bailiffs, and Officers, hold and keep all such like Court Leet and other Courts, View of Frank-pledge, and Law-day, within and for the said Manor and Seignior of *New Mimms*, with like Jurisdiction in all Respects whatsoever, as could or might, or can or may be lawfully held, kept, or exercised, within the said Manor and Lordship of *Enfield*; and that all the Freeholders, Tenants, Reliants, and Inhabitants of and within the said Manor or Seignior of *New Mimms*, shall render and do Suit and Service, and shall take upon them and exercise all Offices and Duties at the said Court Leet or other Courts, View of Frank-pledge and Law-day, for and within the said New Manor and Seignior, in like Manner as they would have been subject and liable unto at the like Court or Courts holden or to be holden within and for the said Manor and Lordship of *Enfield*, in case the said Seignior had remained within and Parcel of the said Manor and Lordship of *Enfield*; and that all Freeholders, Tenants, Reliants, and Inhabitants of and within the said Manor and Seignior of *New Mimms*, shall be for ever, after the passing of this Act, freed and discharged from all Suits, Services, Offices, and Duties whatsoever, within and for the said Manor and Lordship of *Enfield*, or at any Court or Courts to be held within and for the same.

Churchwardens incorporated.

CXV. And be it further enacted and declared, That the present Churchwardens of the said Parish of *Enfield* shall be and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Parish Church of Enfield, in the County of Middlesex*; and that the present Churchwardens of the said Parish of *Edmonton* shall be, and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Parish Church of Edmonton, in the County of Middlesex*; and that the present Churchwardens of the said peculiar Donative or Parish of *Monken Hadley* shall be, and are hereby incorporated and made one Body Politick and Corporate, by the Name of *The Churchwardens of the Parish Church of Monken Hadley, in the County of Middlesex*; and that the said several Corporations shall have perpetual Succession, and they and their Successors respectively shall be enabled to sue and be sued by the respective Names aforesaid in any Court of Judicature within the Realm of *Great Britain*.

Clause for preserving new Fences.

CXVI. And be it further enacted, That no Person or Persons shall graze or keep any Horses, Cows, or other Beasts, Sheep or Lambs, in any Roads, Lanes, or Passages, on either Side whereof any new Fences shall be made under the Authority of this Act, for the Space of seven Years next after the Execution of the said Award, under the Penalty of five Shillings for every such Horse, Cow, or other Beast, and Sixpence for every Sheep or Lamb, to be paid to the Person or Persons injured or liable to be injured thereby; which said Penalty shall be recovered by Application and Complaint to one or more of his Majesty's Justices of the Peace in and for the said County of *Middlesex*, not interested in the said Lands and Grounds, who is and are hereby required to summon the Parties concerned, and examine into the Facts by proper Witnesses on Oath; and after such Summons and Examination may, if he or they shall see Cause, order the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons to whom such Beasts, Sheep or Lambs, shall belong, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of taking and making such Distress and Sale.

No Sheep to be kept in the new Inclosures for seven Years: Except, &c.

CXVII. And be it further enacted, That no Sheep or Lambs shall be kept in any new Inclosures to be made and held in Severalty, under the Authority of this Act, during the Space of seven Years from the Time or Times the Fences thereof shall have been made and completed, unless the Persons keeping such Sheep or Lambs shall first, at their own Expence, fence their Neighbours Quicksets adjoining the Inclosures where such Sheep or Lambs shall be kept, so as to prevent any Damage being done to such Quicksets by such Sheep or Lambs, on Penalty of paying Treble Damages and Costs to the Person and Persons who shall be damaged thereby, to be recovered by Suit or Action in any of his Majesty's Courts of Law.

Tenants for Life, &c. empowered to cut down and carry away Trees, Bushes, &c.

CXVIII. And to the End the several Portions of Land by this Act directed to be inclosed may be improved and reduced to a State of Cultivation, be it further enacted, That it shall and may be lawful to and for all Persons being Tenants for Life, or having or claiming to have any limited Estate in any of the Lands or Allotments by this Act assigned to the said Parish of *South Mimms*, and the Owners of *Enfield Old Park*, and Manor of *Old Fold*, respectively, and also for the Lessee and Lessees of the great Tythes of the Parish of *Enfield* for the Time being, and the several Vicars of *Enfield* and *South Mimms*, and the Incumbent of *Monken Hadley*, and their several and respective Successors, Lessees, or Tenants, for the Space of seven Years, to be computed from the last Day of this present Session of Parliament, to grub and stock up, fell, cut down, remove, take and carry away, to and for their own proper Uses, all and all Manner of Trees, Bushes, Thorns, and Roots, within and upon their said respective Allotments (save and except such

such Trees as are by this Act referred to the King's Majesty), any Law, Usage, or Prescription, to the contrary thereof notwithstanding.

CXIX. And be it further enacted, That it shall and may be lawful to and for the said Vicar of *Enfield*, and his Successors, and the Vicar of *South Mimms*, and his Successors, with the Consent of the Lord Bishop of *London* for the Time being, signified by Writing under his Hand, and also for the Incumbent of the peculiar Donative or Parish Church of *Monken Hadley* for the Time being, and his Successors, with the Consent of the Patron thereof for the Time being, to grant Leases of their respective Allotments of the said Chase unto such Person or Persons as they shall severally and respectively think fit, for any Term or Number of Years not exceeding twenty-one Years, to be computed from the Date or Dates thereof respectively; so as no such Lease be made disposable of Waste; and so as no Sum of Money or other Gift be taken by Way of Fine for such Lease or Leases; and so as the best Rent or Rents that can be gotten for the same be reserved thereon respectively; and so as such Rent or Rents be made payable quarterly; and the usual Power of Re-entry for Nonpayment of such Rent or Rents, and such other Clauses and Covenants be contained therein as are usually inserted in Leases of Farms in that Neighbourhood; and so as the Lessee or Lessees, in such Lease or Leases to be named, do execute and deliver Counterparts of the same; any Law, Usage, or Custom, to the contrary notwithstanding: And that upon the Death, Cession, or Resignation of any Vicar of *Enfield*, or Vicar of *South Mimms*, or Incumbent of *Monken Hadley* for the Time being, a just Proportion of the Rents and Profits of such Lands and Grounds as shall be allotted to the said respective Vicars and Incumbent by virtue of this Act, shall be paid and received by the said Vicar or Incumbent making such Cession or Resignation, or to the proper personal Representative or Representatives of the Vicar or Incumbent who shall so die, up to the Day of such Cession, Resignation, or Death, as the Case may be, any Thing to be contained in such Leases to the contrary notwithstanding.

Power for the Vicars of *Enfield*, &c. and *Hadley* Incumbent, to grant Leases.

How Rents shall be paid on Death, Cession, or Resignation.

CXX. And for the better Protection of the Trees, Woods, and Underwoods, growing, or which may hereafter grow, in or upon the said Chase, as well before as after the same shall be divided by Fences 'in: to the several Allotments aforesaid,' be it further enacted, That all Persons whatsoever, who shall unlawfully cut down, split, bark, pill, damage, deface, destroy, or carry away any Timber Tree, or other Tree, Wood, or Covert, or any Fern, or Furze, within the said Chase, before the Fences to be made at his Majesty's Expence shall be completed, shall be subject and liable to all such Pains, Penalties, and Punishments, as such Offenders are or would have been subject or liable to, in case this Act had not been made: And in case any such Offence or Offences shall be committed after the said Fences shall be completed, every such Offender or Offenders shall be subject and liable to all such Suits, Actions, Damages, Pains, Penalties, and Punishments, as are provided by the Laws and Statutes of this Realm, to be brought, given, imposed, or inflicted upon any Person or Persons for committing the like Offence or Offences in the Lands, Grounds, Woods, or Coppices, being the private Property of any of his Majesty's Subjects.

Clause for Protection of the Woods.

CXXI. And be it further enacted, 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 feeding or occupying of any Lands within the said Chase, every Person so offending, and being thereof convicted before any Justice of the Peace, in Manner herein-after directed, shall forfeit and pay any Sum not exceeding ten Pounds, nor less than twenty Shillings, at the Discretion of such Justice, over and besides the Costs of Conviction; and one Moiety of such Penalties shall be paid to the Owner of the Gates, Stiles, Posts, Rails, or Fence, so broken, destroyed, or carried away, whether such Owner be the Informer or not, and the other Moiety thereof shall be paid to the Churchwardens of the Parish within which the Offence shall be committed.

Penalty for destroying Fences.

CXXII. And be it further enacted, That all the Penalties by this Act inflicted, or directed to be inflicted, or which shall be set or imposed by any Rule or Order to be made under the Authority of this Act, shall be recoverable before one or more Justice or Justices of the Peace for the County of *Middlesex*, not interested in the Premises, on the Confession of the Offender, or on Proof of the Offence by the Oath of one or more credible Witness or Witnesses; and that the Evidence of any credible Person, either for or against the Party accused, shall be competent, although such Witness or Witnesses shall be an Inhabitant of the Parish within which the Offence shall have been committed, or charged so to be: And that it shall and may be lawful to and for any such Justice or Justices, upon Information and Complaint upon Oath made before him that any such Offence hath been committed, to cause the Offender and Offenders to be apprehended and brought before him, to be dealt with according to Law; and in case, on Conviction, any such Offender shall not immediately pay down the Penalty and Costs, or find Security, to the Satisfaction of such Justice or Justices, for the Payment thereof at a future Day, it shall be lawful for such Justice or Justices to cause the same to be forthwith levied on the Goods and Chattels of the Offender or Offenders, by Warrant under his or their Hand and Seal, or Hands and Seals, or it shall be lawful for such Justice or Justices, at his or their Discretion, to commit every such Offender to some Common Gaol within the said County; there to be kept for any Space of Time such Justice or Justices shall direct, not exceeding three Calendar Months, or until such Time as the said Penalty and Costs shall be paid.

Method of recovering Penalties.

CXXIII. And, in order to prevent the quashing of Convictions of Offenders against this Act for Want 'of Form,' be it further enacted, That the Conviction and Convictions of all and every Offenders against this Act, shall be certified by the Justice or Justices of the Peace before whom the same shall be made, to the next General Quarter Sessions of the Peace, to be filed amongst the Records of the said Sessions; and that such Conviction shall be fairly written on Parchment, or Paper, in the following Form of Words, as the Case shall happen, or in any other Form of Words to the like Effect; that is to say:

How Justices to proceed for Conviction of Offenders.

Middlesex 7^c BE it remembered, That on the _____ Day of _____ in the Year _____ of the _____
to wit, 5^c B A. B. was, upon the Complaint of C. D. convicted before _____ of the _____
Justices of the Peace for the County of *Middlesex*, in pursuance of an Act, passed in the seventeenth Year _____ of _____
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Form of Conviction.

of the Reign of his Majesty King George the Third, for dividing the Chase of Enfield, in the County of Middlesex; and for other Purposes therein mentioned; (as the Case shall be).
Given under Hand and Seal the Day and Year above written.

Which said Conviction shall be good and effectual in Law to all Intents and Purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for Want of any Form or Words whatsoever.

Hadley Parish to be within the Jurisdiction of the Ordinary.

CXXIV. And be it further enacted, That in Consideration of the said Allotment of fifty Acres by this Act assigned in Discharge of the Tythes of the Parish of *Monken Hadley*, the whole of the said Parish of *Monken Hadley* (save and except only the said two hundred and forty Acres by this Act assigned and annexed to the said Parish, and which said two hundred and forty Acres are to remain subject to the Payment of such Tythes to the Master, Fellows, and Scholars of *Trinity College* aforesaid, and their Lessee, and to the Vicar of *Enfield*, for the Time being, as shall arise and become due therefrom) shall, from and after the twenty-fifth Day of *March*, one thousand seven hundred and seventy-eight, become and for ever remain freed, exonerated, and absolutely discharged from all Tythes whatsoever; and that the said Parish of *Monken Hadley* shall from thenceforth become and for ever remain subject to the Visitation and Jurisdiction of the Ordinary in all Spiritual Matters whatsoever (Induction and Institution, and Payment of Visitation-fees, only excepted).

Certain Incroachments enfranchised.

CXXV. And be it further enacted, That the several Lands heretofore incroached upon the said Chase, and herein-after particularly described, and all Messuages, Houses, Cottages, and Buildings thereon erected, with their Appurtenances, now held either by Copy of Court-roll of the Manor of *Enfield*, or other Title under the Crown, shall, from and immediately after the passing of this Act, be and become enfranchised, and be held and enjoyed by the several and respective Persons now holding and enjoying the same, to themselves and their Heirs, in Fee simple, freed and discharged from all Quit-rents and other Rents, Suits and Services, subject nevertheless to such Limitations, Uses, and Trusts, as have been already thereof declared by any Grant by Copy of Court-roll, Deed, or Writing, if any such there be; (that is to say) all those Cottages and Inclosures, with their Appurtenances, granted by Copy of Court-roll, situate near *Cooper's Lane Gate*, now or late held, enjoyed, or occupied by *Thomas Walbo*, *Peter Poulter*, and *John Jaques*; and also all those several small Pieces of inclosed Ground, with the Offices and Buildings thereon erected, situate on the West Side of the present Road near *Cock festers*, and held, enjoyed, or occupied by *Arabella Trevor* Spinster, and *Temple West* Esquire; and all that small Slip of inrailed Land fronting an House called *The Folly*, and a small Slip of inclosed Land near *Caponhurst* Farm, occupied or enjoyed by *William Mason*; and all those several small Parcels of intailed Land fronting divers Houses in the Parish of *Monken Hadley*, which Parcels of inrailed Land are held by *Andrew Hopegood* Esquire, *John Egerton* Esquire, *Thomas Gildart* Esquire, and *James Quilter* Esquire, containing together one Acre and sixteen Perches; and all those other small Parcels of inclosed Land adjoining to the said Parish of *Monken Hadley*, being Part of the Gardens and Outlet of Mrs. *Mary Sewell*, and of the Incumbent of *Monken Hadley* for the Time being; and also all those several small Parcels of inclosed Land, granted by Copy of Court-roll of the said Manor of *Enfield*, situate near unto *Potter's Bar*, with the Dwelling-houses and other Buildings thereon, now held and enjoyed by *John Freeman* Esquire, *Ann Jones* Spinster, and *Christopher Corral* Esquire; all which said Incroachments, hereby enfranchised, contain in the whole six Acres, two Roods, and one Perch, or thereabouts.

For ascertaining Tenures.

CXXVI. And be it further enacted, That all and every Messuages, Buildings, and Lands, within the said Chase, or within the District usually called *Enfield Chase*, by whatsoever Tenures the same now are, or shall hereafter be respectively held (the Allotment by this Act assigned to the said Parish of *South Mimms* only excepted), shall be for ever held, and be deemed, adjudged, and taken to be held of the King's Majesty, his Heirs and Successors, as of the Manor and Lordship of *Enfield*, in the County of *Middlesex*, Parcel of the Possessions of his Majesty's Duchy of *Lancaster*; and that all Messuages, Buildings, and Lands, within the Limits of the said new-erected Manor of *New Mimms*, shall be for ever held, and be deemed, adjudged, and taken to be held of the King's Majesty, his Heirs and Successors, as of the said Manor of *New Mimms*, in the said County of *Middlesex*; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Six Parts to be made of the Survey, and to be certified by the Speaker of the House of Commons.

CXXVII. And be it further enacted, That there shall be six original Parts made of the aforesaid Survey or Plan of the said Chase, and of the Table of References thereto, which shall be certified by the Right Honourable the Speaker of the Honourable House of Commons, under his Hand and Seal, and, when so certified, four of such six Parts shall be deposited and kept in the Chests of the said four respective Parishes; (that is to say) one Part in the public Chest of each Parish; which several Surveys or Plans all Persons interested, and their Agents, shall have Liberty, at all reasonable Hours, to inspect, paying unto the Vestry-clerk of the Parish, for the Time being, the Sum of one Shilling for every Inspection: That another of the said Parts shall be delivered to the said Master, Fellows, and Scholars, to be deposited and kept in the said College: And the remaining Part shall be kept and deposited in the Office of the Clerk of the Council of his Majesty's Duchy of *Lancaster* for the Time being, amongst the Records of the said Duchy: And the said several Surveys or Plans, and Table of References, shall be good Evidence in all Courts whatsoever; and that the several Vestry-clerks, or other Officers or Persons having the Custody of the said Surveys or Plans and Table or Tables of References, shall respectively produce the same in Evidence, in any Court whatsoever, being duly subpoenaed so to do, and being paid a reasonable Satisfaction for his or their Trouble, Costs, and Charges attending such Production, by the Party or Parties in whose Behalf the same shall be so produced.

To be kept in the Parish Chests, Trinity College, and in the Duchy Office.

Persons aggrieved may appeal to the Quarter Sessions;

CXXVIII. And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act (save only in such Cases where the Order or Direction of any Person or Persons is directed to be final) then, and in every such Case, the Party or Parties so aggrieved

aggrieved shall and may appeal to the General Quarter Sessions of the Peace, which shall be held for the County of *Middlesex*, within six Calendar Months next after the Cause of Complaint shall have arisen; and the Justices in their said General Quarter Sessions are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them in their Discretion shall seem reasonable; and by their Order or Warrant to levy the Costs which shall be 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 every such Distress and Sale; which Determination of the said Justices shall be final and conclusive to all Persons concerned, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*, or elsewhere.

whose Determination shall be final.

CXXIX. And be it further enacted, That all Actions, Writs, and Prosecutions, commenced against any Person or Persons, for any Thing to be done under or in pursuance of this Act, shall be commenced within six Calendar Months after the Fact committed; and shall be laid and tried in the County of *Middlesex*, and not otherwise or elsewhere: And that such Persons, as shall be prosecuted for any Offence against this Act, or under any Rule or Order to be made by virtue thereof, in Manner aforesaid, shall not be liable to Prosecution or Presentment for the same Offence, under any other Act of Parliament, or in any of the Courts of the Manor of *Enfield*, or elsewhere, any Thing herein contained to the contrary notwithstanding.

Limitation of Actions.

CXXX. And be it further enacted, That if any Person or Persons shall be sued or prosecuted for any Matter or Thing which he, she, or they shall do in pursuance of this Act, it shall and may be lawful to and for every Person so sued or prosecuted, to plead the General Issue, and to give the Matter in Evidence, without specially pleading the same.

General Issue may be pleaded to Actions.

CXXXI. Provided always, and be it enacted, That nothing in this Act contained shall extend to, affect, or be in anywise prejudicial to the Rights given and granted by any Charter or Charters, or any Act or Acts of Parliament, to the Corporation called *The Governor and Company of the New River brought from Chadwell and Amwell to London*.

Saving the Rights of the New River Company.

CXXXII. Saving always to the King's most Excellent Majesty, his Heirs and Successors, and to all Bodies Politick and Corporate, and their Successors, and to the Lords of the several Manors of *South Mimms*, *Williots*, and *Monken Hadley*, and to all and every Person and Persons whatsoever, their Heirs, Executors, Administrators, and Assigns, all such Estate, Right, Title, Seigniority, Interest, Claim, and Demand whatsoever, of, to, or within the said Chase, and of, to, or within the said open commonable Ground in the said Manor of *South Mimms*, which are not by this Act extinguished, vacated, destroyed, discharged, annihilated, taken away, lessened, diminished, varied, changed, or altered, as they, every, or any of them, now have or hath, or might or could have had and enjoyed therein, in case this Act had not been made.

General Saving of Rights.

CXXXIII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Public Act.