

*George Proctor*

# RULES AND ORDERS

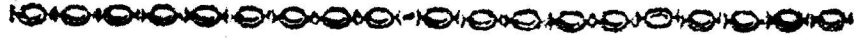
MADE BY THE

PARISH of MONKEN-HADLEY, in  
the County of MIDDLESEX, respecting  
their Common.

*1897*

Pursuant to the Powers contained in an  
Act of Parliament of the Seventeenth  
Year of the Reign of His present Ma-  
jesty King GEORGE the Third, intituled,  
“ *An Act for dividing the Chase of  
“ Enfield, in the County of Middlesex,  
“ and for other Purposes therein men-  
“ tioned,*” the following Rules and Or-  
ders, for the Usage and Enjoyment of  
the Common alligned to this Parish  
by the said Act, were approved and  
made at a Vestry of this Parish, on  
the 6th Day of April, One Thousand  
Seven Hundred and Ninety-Nine, and  
were afterwards confirmed by a great  
Majority of the Freeholders of this  
Parish, in the Manner directed by the  
said Act.

*See: 60. P. 108*



ORDERED,

I.

Church War-  
den to sell  
Turf, Mould,  
Gravel, and  
Ballast.

THAT the *Church-Warden*, named and elected by this Parish for the Time being, and his Successors, shall be authorized, during his Continuance in such Office, to cut, dig, and sell *Turf, Mould, Gravel, and Ballast*, to any of the Parishioners of this Parish requiring the same, *but to no other Person*, at the following Prices, (that is to say) for *Turf*, after the Rate of *Two Shillings* for every *One Hundred square Feet*; for *Mould*, after the Rate of *Six-Pence per Bushel*; for *Gravel*, after the Rate of *One Penny per Bushel*; for *Ballast*, after the Rate of *Two-Pence per Bushel*: and that one or more fit and convenient

Prices.

convenient Spot or Spots of Ground, not exceeding *Four Acres*, near unto Mr. *Birkett's* Premises, late Mr. *Newdick's*, shall be staked out and appropriated for getting such Turf, Mould, Gravel, and Ballast; and that no Turf, Mould, Gravel, or Ballast, shall, on any Account, be taken therein, for any Purpose but for the private Use of the Parishioners of this Parish, and for Repairs of Roads within the same, under a Penalty of *Forty Shillings per Load*, to be recovered as directed by the said Act: And that the Church Warden of this Parish for the Time being, and his Successor and Successors, shall be authorized to look after the said *Four Acres* of Land, and direct how and in what Manner, and in what Part or Parts of the said *Four Acres* such Materials shall be so taken.

## II.

ORDERED, That a Meeting, or Vestry, shall be held in this Parish, on the *Monday* Annual Vest  
to be held.

*next before Advent-Sunday, at Ten of the Clock in the Forenoon, annually; and that a Majority of the Freeholders and Inhabitants assessed to the Poor's Rates of this Parish, then and there present, shall have full Power to order and direct so much of the Bushes and Underwood, growing on the said Allotment, to be cut and sold (Beech and Oak Trees excepted) as they shall think fit, not exceeding in the whole*

*One Hundred and Fifty Loads of Bushes, or Ten Acres of Underwood, in any one Year; and so as no Part thereof be sold at less than the following Prices, and so pro rata, viz. For Bushes, Ten Shillings per Load; Three Feet Faggots, Eight Shillings per Hundred; Four Feet Faggots, Twelve Shillings per Hundred; and Stackwood, Twelve Shillings per Stack; and that all the Inhabitants of this Parish assessed to the Poor's Rates, and also all Freeholders of this Parish, then and there present, shall have Voices at such Meeting, or Vestry.*

Their Power.

III.

ORDERED, That the Freeholders, or Parishioners to be preferred in Sale of Wood Inhabitants of this Parish, shall be preferred; to Strangers in the Purchase of such Bushes and Underwood; until the *first Day of January then next*; and what shall remain unfold after the *said First of January*, shall be disposed of by the Churchwarden to any other Persons, at Prices not less than the Prices aforesaid.

IV.

ORDERED, That the Churchwarden for the preceding Year shall, at the aforesaid Meeting or Vestry, produce his Account of all Monies received by him for any Penalties, or by Virtue of these Orders, or otherwise, under the said Act; and shall, after discharging such Salary, or other Allowance, as the Vestry shall think fit to allow to such Churchwarden for his Trouble, and the Expences of cutting Bushes, making Faggots, and setting up Stackwood, and also such Allowance as shall

shall be then and there directed to be made to the Surveyors and their Assistant, for the Execution of the Trusts hereinafter reposed in them, pay over the Residue of such Monies to the Overseer of the Poor, in Aid of the Poor's Rates of this Parish.

## V.

Surveyors to  
repair the  
Road.

ORDERED, That the *Surveyors of the Highways* for this Parish, and their Successors, for the Time being, shall keep in Repair the Road leading from Mr. *Birkett's Gate* towards the *West Bailey Lodge*, until it enters the King's Allotment; and that the Expence of such Repairs be carried to their Account of the Highway Assessments of this Parish.

## VI.

A Pinfold.

ORDERED, That all Cattle trespassing on the said Common shall be impounded in the Pinfold that is erected opposite to Mr. *Culling Smith's* Inclosures, on the  
North

North Side of the Road, on the said Common.

### VII.

ORDERED, That the *Surveyors of the Highways* of this Parish for the Time being, shall be the *Curators* of the Common during their Office of Surveyor, and shall be empowered to appoint one Person to assist them as their Deputy; and that the said Curators and their Deputy shall have full Power and Authority to look after the Common, and the Trees, and Wood thereon; and in case they, or any of them, shall find any Person stealing or unlawfully cutting any Wood, or breaking the Soil thereof, he, or they, shall forthwith, from Time to Time, apply to some neighbouring *Justice of the Peace*, and procure all such Offenders to be fined, convicted, and punished for such Offences.

Surveyors to be Curators of the Common, and to have an Assistant.

### VIII. OR-

## VIII.

For settling  
the Stint.

ORDERED, That from and immediately after the confirming of these Rules and Orders, the following *Stint* on the said Common shall commence and take Place, that is to say, Every Occupier of a *Dwelling House*, within this Parish, assessed to the Land Tax at *Twenty Pounds* a Year, or upwards, annual Rent, shall have Liberty to keep on the Common *Two Head* of Beasts or Cattle in Respect of such House, and no more; and if assessed at *less* than *Twenty Pounds* a Year, to keep *One Head* in Respect of such House, and no more; and that every Occupier of *Three Acres of Land* within this Parish, shall have Liberty, in Respect of such Land, to keep on the Common after the Rate of *One Head* of Beast or Cattle, for every *Three Acres* of Land he or she shall so occupy, and no more. Provided always, that no Person whatsoever shall, on any Account or Pretence, take in, or *agist*, upon the said Common,

or



or keep, or turn thereon, any Beast or Cattle, but such as are, *bona fide*, his, or her, own respective Property, under a Penalty of *Two Shillings per Head*, for every Beast or Cattle, not being so the Property of the Person turning on the same, *for every Day*, or Part of a Day, the same shall be so kept or found thereon, to be levied, collected, and applied, as by the said Act is directed.—Houses not assessed to the Poor's Rate, to have a Right for *One Beast* or Head of Cattle.—Houses built at any Time since the Passing of the said Act, or to be *hereafter built*, to have no Right of Common, except such as shall be erected on the Scite of any Houses then standing, or on any other Part of the Land of the Owners of such Houses in lieu thereof, so that the Number of Houses to be intitled to the Right of Common as aforesaid, shall in no wise be increased.

## IX.

Cattle to be  
branded.

ORDERED, That the *Curators* of the Common, or their Assistant, shall, on the Request of the Inhabitants of this Parish, from Time to Time, mark their respective Beasts and Cattle with a Pitch Mark, or Brand, after the Rates, or Stint, aforesaid, such Inhabitants paying *Two-Pence per Head* to the said Curators, or their Assistant, for every Beast or Cattle so marked; but no Person is to pay for branding the same Beasts or Cattle more than *twice* in any One Year; and in Case, and so often as the said Curators, or their Assistant, shall wilfully and knowingly mark or brand any Cattle for any Person beyond the Stint aforesaid, they, or he, shall respectively forfeit and incur a Penalty of *Five Pounds* for every such Breach of Trust.

## X.

Kinds of Cat-  
tle to be com-  
monable.

ORDERED, That no Beast or Cattle whatsoever shall be commonable, except *Geldings, Mares, Foals* under a Year old, *Fillies,*

*Fillies, Cows, Female Calves, Heifers, and Female Affes; and as often as any stoned Horse or Stallion, Rig Bull, Sheep, or Jack Afs, shall be found on the Common, the same shall be impounded, and not redeemable, but upon Payment to the Curators, or their Assistant, of Two Shillings per Head per Day, or any Part of a Day, until impounded, besides reasonable Expences for Sustainance whilst impounded.*

# XI.

ORDERED, That the Owners and Oc- As to Swine.  
cupiers of Houses and Lands in this  
Parish, shall have Liberty to keep on the  
Common *the like Number of Hogs*, well  
rung with Iron Rings at their Snouts and  
yoked, from *Michælmass Day to Christmas*  
*Day*, as they may of Beasts and Cattle  
according to the aforesaid Stint, the same  
being branded in like Manner as is di-  
rected for such Beasts and Cattle.

XII.

Forgers of  
the Brand to  
be prosecuted.

ORDERED, That if any Person shall *counterfeit the Parish Brand*, or shall knowingly and wilfully turn out any Cattle marked with any counterfeit or forged Brand, the Offender shall be indicted, at the Expence of the Parish, for a Cheat, and be brought as such to condign and exemplary Punishment.

XIII.

Strange Cat-  
tles to be im-  
pounded.

ORDERED, That all Beasts, Cattle, and Swine, found depasturing or straying on the Common, not authorized to be kept thereon by these Rules and Orders, shall be impounded, and shall not be redeemable but on Payment of the following Sums, over and besides the Expences of detaining the same, (that is to say) for every *Horse, Rig Mare, Gelding, Foal or Filly, Bull, Ox, Cow, Heifer, Calf, or Ass*, *Two Shillings per Head*, for every Day, or Part of a Day, the same shall have been so unlawfully kept on the said Common;

Common; and for every *Hog*, old or young, after the Rate of *One Shilling per Day*, or Part thereof.

XIV.

ORDERED, That the Curators and their Assistant shall *drive* the Common *twice* in the Year at least, and as many Times more as they shall think fit, Common to be driven.

XV.

ORDERED, That all Penalties arising by impounding of Cattle, and all the Fees for marking of Cattle, shall be paid to the Curators, or their Assistant, and shall be by them accounted for in Writing at the aforesaid annual Meeting or Vestry, and be then paid over to the Church Warden for the Time being, to be by him accounted for, as Part of the Fund in his Collection. Application of Profits from the Common.

XVI.

ORDERED, That the above Rules and Orders, when confirmed by the Freeholders

holders of this Parish, as directed by the said Act, shall be enrolled in the Duchy Court of *Lancaster*, for the safe Custody thereof; and that the same shall be printed for the Use of the Freeholders and Inhabitants of this Parish.

#### XVII.

WHEREAS by the said Act, Powers are given to the said Parish, from Time to Time, to make Rules and Orders for the Purposes aforesaid, but which are not to be of Force until confirmed by the major Part of the Owners and Proprietors of Messuages and Lands within the said Parish, who were assessed to the Land Tax for the preceding Year at 10*l.* annual Rent, or upwards. Now lest any Doubt should hereafter arise concerning such Confirmation of the Freeholders by any Want of the Land Tax Book for the Year 1798, being the Year next preceding the making of these Rules and Orders—Ordered, that a Copy of the Land Tax

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Tax Book for the said Year 1798, containing the Whole of the Assessment to the Land Tax for the Service of that Year, (being called Four Shillings in the Pound) be annexed by Way of Schedule to these Rules and Orders.

JOSEPH DARBY,

*Sole Church Warden.*

April 6, 1799.