ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. XX.

An Act to extend, until the Twenty-ninth Day of *September* One thousand eight hundred and one, the Provisions of an Act made in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act for the better Cultivation, Improvement, and Regulation of the Common Arable Fields, Wastes, and Commons of Pasture, in this Kingdom*, and for encouraging the Cultivation of Potatoes in Open and Common Field Lands.

[2d *April* 1801.]

WHEREAS by an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act for the better Cultivation, Improvement, and Regulation of the Common Arable Fields, Wastes, and Commons of Pasture, in this Kingdom*, it is amongst other Things enacted, That Three-fourths in Number and Value of the Occupiers of such Fields and Commons may enter into an Agreement for cultivating the same, in the Manner therein mentioned and directed: And whereas it is expedient at the present Conjuncture, that Encouragement should be given to the Cultivation of Potatoes, in such Open and Common Field Lands for a limited Time; be it therefore 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 it shall and may be lawful to and for the Majority in Value of the Occupiers of any Open

Preamble. 13 Geo. III, Cap. 81.

The Majority in Value of the Occupiers of Open Fields, present at a

Meeting of which Eight Days Notice ſhall be given, may enter into any Agreement for ſhutting up the ſame for planting Potatoes, &c.

Open and Common Field Lands, who ſhall be preſent at any Meeting to be held in purſuance of Eight Days Notice given in the Manner directed by the ſaid Act, to enter into any Agreement for ſhutting up and unſtocking ſuch Open and Common Field Lands for the Purpoſe of planting the ſame with Potatoes; and the Expences of carrying ſuch Agreement into Execution, ſhall be raiſed, levied, collected, and paid in the ſame Manner as the Charges and Expences of carrying the Purpoſes of the ſaid Act into Execution are directed to be raiſed, levied, collected, and paid.

In Default thereof, any Occupier may incloſe the Land in his Occupation, making ſuch Compenſation to the others as ſhall be aſcertained by Three Inhabitants.

II. Provided always, and be it further enacted, That in caſe it ſhall happen that the Majority in Value of ſuch Occupiers ſhall diſapprove of the ſhutting up and unſtocking any ſuch Lands, it ſhall and may be lawful to and for any Occupier of ſuch Open and Common Field Lands to incloſe the Land in his own Occupation for the Purpoſe aforeſaid; and a Compenſation for the Right of Paſture, which may be claimed by the other Occupiers thereof, ſhall be aſcertained by Three principal Inhabitants, choſen as aforeſaid, and ſhall be paid by ſuch Occupier to the Perſons ſeverally entitled thereto.

Rights of ſeparate Sheep-walk or Paſture of Cattle not to be affected.

III. Provided alſo, and be it enacted, That nothing herein contained ſhall exclude any Perſon or Perſons ſeiſed or poſſeſſed of a ſeparate Sheep-walk or Paſture of Cattle in or over all or any of the Common Field Lands, in any Pariſh or Place, or in or over any Part thereof, from uſing, exerciſing, and enjoying ſuch Right, in as full and ample Manner to all Intents and Purpoſes as he might or could have enjoyed the ſame before the paſſing of this Act.

Compenſation to be made to Perſons having Right of Common, for any Loſs ſuſtained

IV. And be it further enacted, That it ſhall and may be lawful to and for any Three of the principal Inhabitants of any Pariſh or Place in which ſuch Open and Common Field Lands ſo to be ſhut up ſhall be ſituate, being choſen by the Majority in Value of ſuch Occupiers at the Meeting to be held in Manner before mentioned, (and of which the Lord of the Manor or his Agent, or the Rector, Vicar, or Curate of ſuch Pariſh or Place ſhall be one), to aſcertain, ſettle, and determine the Recompence and Satisfaction that ought to be made to Cottagers and other Perſons having only Right of Common on ſuch Lands, for the Loſs they may ſuſtain by the ſhutting up thereof, and by Order, under the Hands and Seals of any Two or more of ſuch principal Inhabitants, to order and direct the ſeveral Perſons poſſeſſed of or occupying any ſuch Lands, to make Recompence or Satisfaction to ſuch Cottagers or other Perſons, by a Payment in Money, or to allot to them ſuch Quantity of Land, and for ſuch Period, as ſhall be ſpecified in ſuch Warrant, to be made uſe of by them for the Cultivation of Potatoes, to and for their ſole Uſe and Benefit; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Continuance of Act.

V. And be it further enacted, That this Act ſhall continue in force until the Twenty-ninth Day of *September* One thouſand eight hundred and one.

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