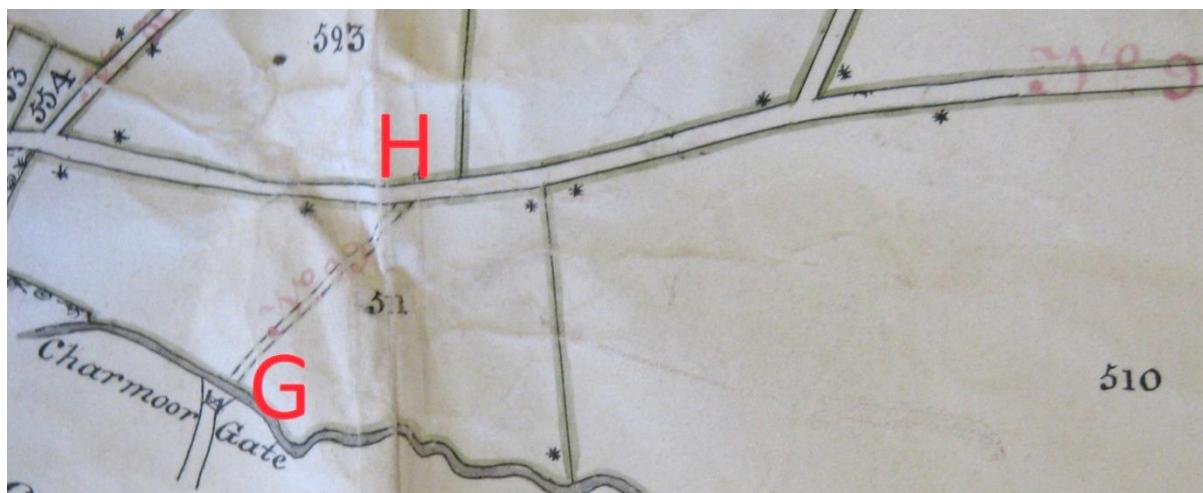


## Appendix 5. Neroche Forest Inclosure Award.

Reproduced with the permission of the South West Heritage Trust, reference Q\Rde/107.



Extract from the award map showing points G and H.

without the aid and authority of Parliament And also further reciting that an act was passed in the forty first year of the reign of his late Majesty King George the third Intituled "An act for consolidating in one act certain provisions usually inserted in acts of Inclosure and for facilitating the mode of proving the several facts usually required on the passing of such acts" And also further Reciting that another act was passed in the first and second years of the reign of his then Majesty Intituled "An act to

amend the Laws respecting the inclosing of open fields pastures, woods, commons and waste Lands in England." It was and is amongst other things Enacted by the Kings most excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal in the then parliament assembled and by the Authority of the same that I the said Thomas Best should be and I was thereby appointed Commissioner for dividing allotting inclosing and otherwise improving the said Forest or Common and for putting the said Act into Execution in such manner and Subject to such Provisoes and regulations as were hereinafter contained and with such of the powers and Subject to such of the Rules orders directions Authorities Regulations restrictions and provisions contained in the said recited acts as was not varied or altered And it was also

**...and also further reciting that an act was passed in the forty first year of the reign of his late Majesty King George the third Intituled "an act for consolidating in one act**

Appendix 5, continued.

certain provisions usually inserted in the acts of inclosure and for facilitating the mode of proving the several facts usually required on the passing of such acts" and also further Reciting that another act was passed in the first year and second years of the reign of his then Majesty Intitled "an act to amend the laws respecting the inclosing of open fields, pastures, moors, Common and waste Land in England" It was and is amongst other things enacted by the Kings most excellent Majesty by and with the [...] and consent of the Lords Spiritual and Temporal in the then parliament aforesaid and by the authority of the same that I the said Thomas Best should be and I was thereby appointed Commissioner for dividing allotting inclosing and otherwise improving the said Forest or Common and for putting the said act into Execution in such manner and subject to such provisions and regulations as were thereinafter contained and with such of the provisions and subject to such of the rules orders directions authorities regulations restrictions and provisions contained in the said recited acts as were not varied or altered

Extract from the award and transcription

thereof should be admitted as legal Evidence And it was by the said General Inclosure act of the said forty first year of the reign of His said Majesty King George the third Enacted that such Commissioner or Commissioners should and he and they was and were thereby authorised and required in the first place before he or they proceeded to make any of the Divisions and allotments directed in and by such act to set out and appoint the public Carriage Roads and Highways through and over the said Lands and Grounds intended to be divided allotted and Inclosed and to divert turn and stop up any of the Roads and Tracts upon and over all or any part of the said Lands and Grounds as he or they should judge necessary so as such Roads and Highways should be and remain Thirty feet wide at the least and so as the same should be set

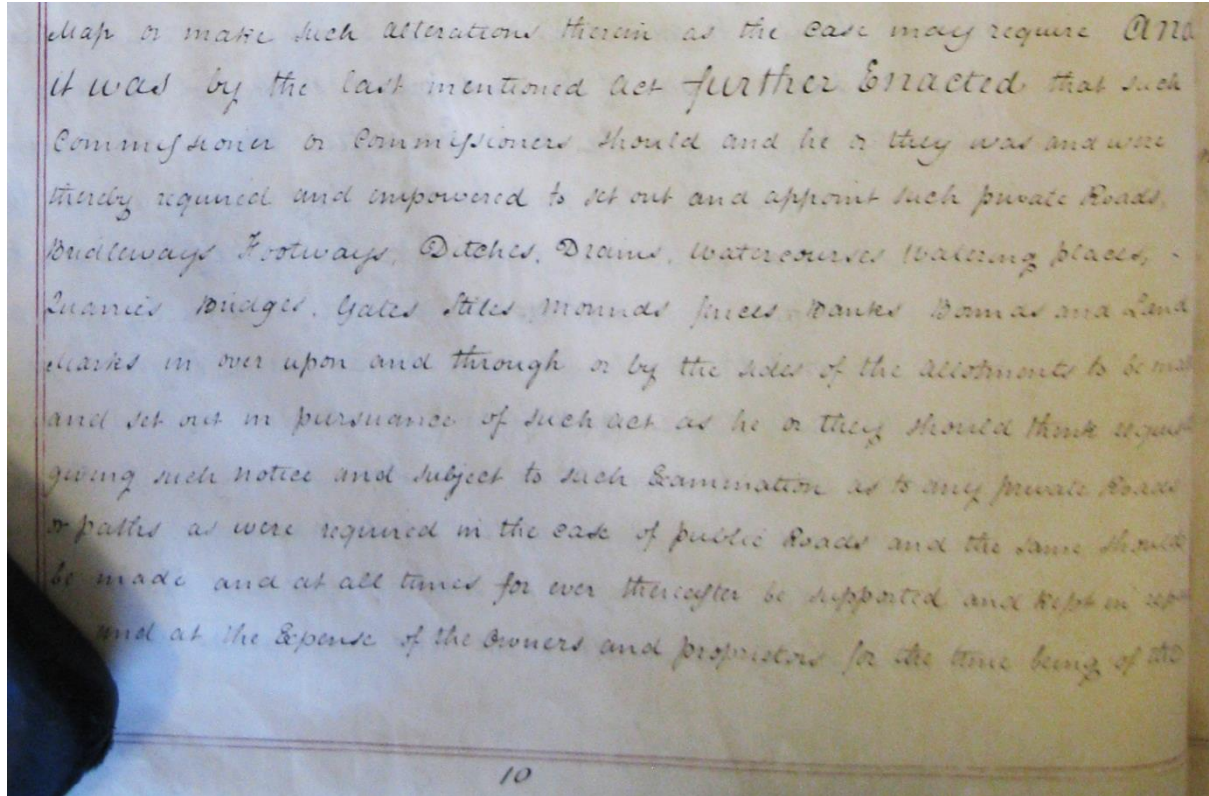
9

out in such sections as should upon the whole appear to him or them more Commodious to the public and he or they were thereby further required to

... and it was by the said General Inclosure act of the said forty first year of the reign of his said Majesty King George the third Enacted that such Commissioner or Commissioners should and he and they was and were thereby authorised and required in the first place before he or they proceeded to make any of the Divisions and allotments directed in and by such act to set out and appoint the public carriage Roads and Highways through and over the said Lands and Grounds intended to be divided allotted and inclosed and to divert them and stop up any of the Roads and

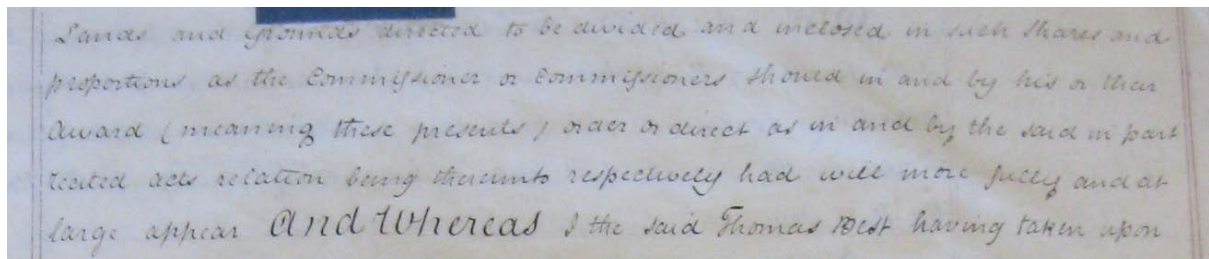
[...] upon and over all or any part of the said lands and Grounds as he or they should judge necessary so as such Roads and Highways should be and remain Thirty feet wide at the least and so as the same should be set out in such directions as should upon the whole appear to him or them [...] Commissioners to the public

Extract from the award and transcription



map or make such alterations therein as the case may require And  
it was by the last mentioned act further Enacted that such  
Commissioner or Commissioners should and he or they was and were  
thereby required and empowered to set out and appoint such private Roads,  
Bridleways Footways, Ditches, Drains, watercourses watering places,  
Lanes Bridges, Gates Stiles, Mounds fences Banks Bows and Land  
marks in over upon and through or by the sides of the allotments to be  
and set out in pursuance of such act as he or they should think requisite  
giving such notice and subject to such Examination as to any private Roads  
or paths as were required in the case of public Roads and the same should  
be made and at all times for ever thereafter be supported and kept in repair  
and at the Expense of the Owners and proprietors for the time being of the

10

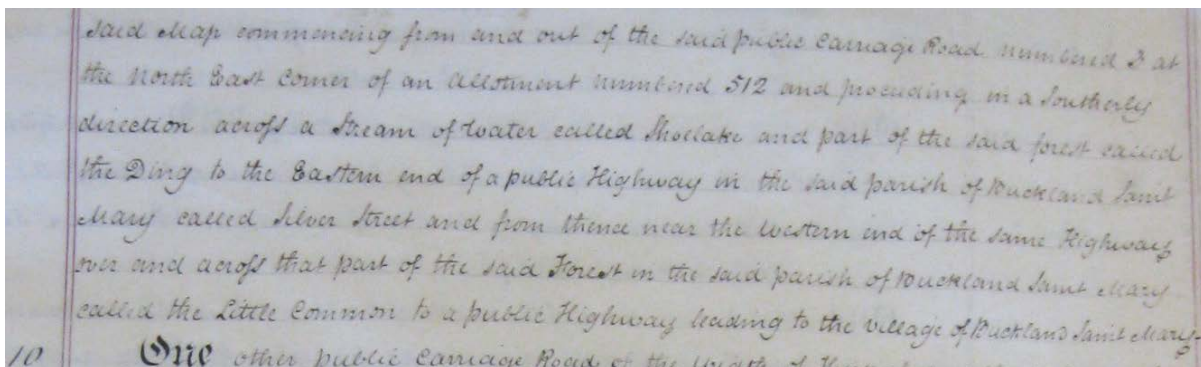
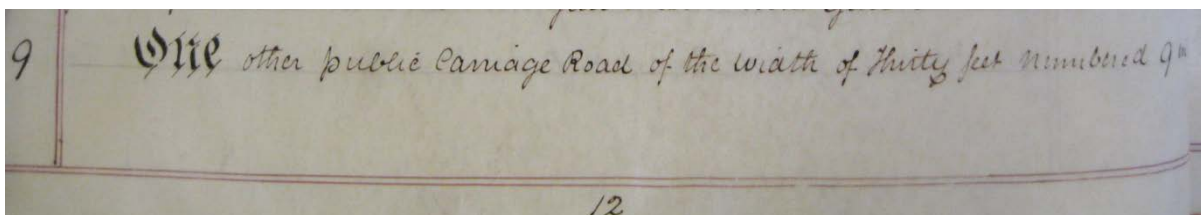
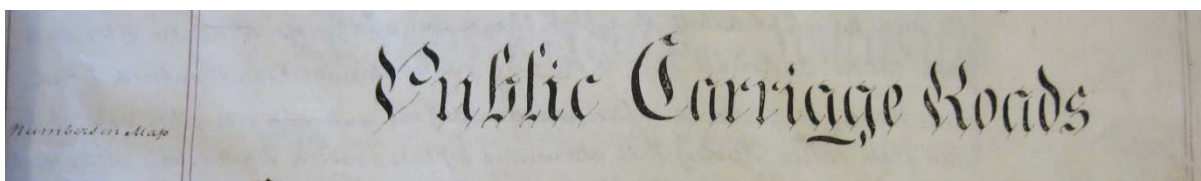


Lanes and grounds directed to be divided and inclosed in such Shares and  
proportions as the Commissioner or Commissioners should in and by his or their  
Award (meaning these presents) order or direct as in and by the said in part  
recited acts relation being thereunto respectively had will more fully and at  
large appear And Whereas the said Thomas Best having taken upon

...and it was by the last mentioned act further Enacted that such Commissioner or Commissioners should and he or they was and were thereby required and empowered to set out and appoint such private Roads, Bridleways Footways, Ditches, Drains, watercourses, watering places, [...] Bridges, Gates, Stiles, Mounds, fences, markers, Bounds and Land markers in over upon and through or by the sides of the allotments to be [...] and set out in pursuance of such act as he or they should think requisite giving such notice and subject to such examination as to any private Roads or paths as were required in the case of public Roads and the same [...] be made and at all times for ever thereafter be supported and kept in repair and at the Expense of the Owners and proprietors for the time being of the Land and Grounds directed to be divided and inclosed in such shares and proportions as the Commissioner or Commissioners should in and by his or their awards (meaning these presents) order or direct as in and by the said in part recited acts [...] being

thereunto respectively had will more fully and at large appears.

Extract from the award and transcription



### Public Carriage Roads

Numbers on map

9 One other public Carriage Road of the width of thirty feet numbered 9 in [...] said map commencing from and out of the said public carriage Road numbered 8 at the north East corner of an allotment numbered 512 and proceeding in a southerly direction across a stream of water called Shortlake and part of the said forest [...] the Ding to the Eastern end of a public Highway in the said parish of Buckland Saint Mary called Silver Street and from thence near the western end of the same Highway over and across that part of the said Forest in the said parish of Buckland Saint Mary called the Little Common to a public Highway leading to the village of Buckland Saint Mary.

Extract from the award and transcription

## Private Roads and Footways

29 One other private Road of the width of eighteen feet in the said parish of Broadway numbered 29 in the said map commencing from and out of the said public Carriage Road numbered 9 and proceeding through and over an allotment numbered 511 to a Gate called Charmoor Gate.

29 One other private Road of the width of eighteen feet in the said parish of Broadway numbered 29 in the said map commencing from and out of the said public carriage Road numbered 9 and proceeding through and over an allotment numbered 511 to a gate called Charmoor Gate.

Extract from the award and transcription

And I the said Commissioner in further exercise and execution of the powers and authorities to me given by the said Recited acts or either of them Do hereby order and direct that the several private Roads by me set out and appointed and which are particularly delineated on the said map by black lines and numbered in red Ink shall be made and at all times for ever hereafter be supported and kept in repair by and at the expense of the owners and proprietors for the time being of the several allotments by me herein by me set out and described in such shares and proportions manner and form as are specified and contained in the Schedule hereunto written or hereinto annexed. In Witness whereof the said Commissioner

And I the said Commissioner in further exercise and execution of the powers and authorities to me given by the said Recited acts or either of them Do hereby [...] and order and direct that the several private Roads by me set out and appointed and which are particularly delineated on the said map by black lines and numbered in red Ink shall be made and at all times for ever hereafter be supported and kept in repair by and at the expense of the owners and proprietors for the time being of the several allotments by me herein by me set out and described in such shares and proportions manner and form as are specified and contained in the schedule herein [...] written or hereinto annexed.

Extract from the award and transcription

Appendix 5, continued.

Parish Roads		Allotments				Observations and Explanations
Number of Road on Map	Parish in which the same is situate	Number of allotment on Map	Owners and Proprietors	Parish in which the allotments are situate	Length of Road in yards to be made and at all times for ever hereafter to be supported and kept in repair by said Owners and Proprietors for the time being.	

29	D <sup>o</sup>	492, 492a	William Ashton	D <sup>o</sup>	
		465	William Beall		
		459	Assignees of George Carnes, a Bankrupt		
		438	James Goodland		
		514	Bushall Perin		
		489	Fanny Sprackell		
		491	Sarah Warry		
		454, 464	William Beall and Edward Berkeley Portman		
		462a	Richard Baumcote and		
		462	D <sup>o</sup> and D <sup>o</sup>		

29	Breadway	455, 465	John Collins as Trustee for Rebecca Hayes and Edward Berkeley Portman	Breadway	83	Share and Share alike from the Public Road numbered 9 to Charnoor Gate		
		457	James Goodland and Edward Berkeley Portman					
		520, 521	John Cuff and John Symes				D <sup>o</sup>	46
		502, 503	Ann Smith				D <sup>o</sup>	42
		460	William Speke and Edward Berkeley Portman				D <sup>o</sup>	4
		450, 451, 452	Representatives of said John Hauserwick and Edward Berkeley Portman				D <sup>o</sup>	15
		461	Jonathan Vickery and Edward Berkeley Portman				D <sup>o</sup>	1
							145	

Extract from schedule showing entry for Private Road 29, over two pages.