

Dinton and Teffont Magna Enclosure Award 1837

To all to whom these presents shall come We James Poole of Sherbourne in the County of Dorset Gentlemen William Woodcock of Fuggleston St. Peter in the County of Wilts Gentlemen and the several other persons whose names are hereunto subscribed and seals affixed as parties exercising these presents send greeting whereas a certain Act of Parliament was made and passed in the third year of the reign of his late Majesty King George IV entitled an act for dividing allotting and inclosing lands in the Parish of Dinton in the County of Wilts and after reciting that there were within the Parish of Dinton with the chapelry of Teffont Magna in the County of Wilts divers open common fields common meadows common downs and other commonable lands and grounds and that the Right Honourable George Augustus Earl of Pembroke and Montgomery was Lord of the Manor of Dinton and Teffont otherwise Teffont Magna in the Parish of Dinton aforesaid and that the said George Augustus Earl of Pembroke and Montgomery William Wyndham Esquire and divers other persons respectively were owners of messuages lands and tenements within the said Parish and proprietors of or interested in the said lands and grounds and that the precedent and scholars of Magdaline College and the University of Oxford were patrons of the Rectory of Dinton aforesaid with the Chapel of Teffont Magna annexed and the Reverend Henry Linton Doctor in Divinity was the then vicar or incumbrent thereof and as such was' entitled to certain glebe lands to the said Rectory belonging and reciting that it would be of great benefit and advantage to the several persons interested in the said lands and grounds if the same were provided and in the civic parts and shares thereof allotted to the several proprietors and other persons interested agreeably to their several and respective estates rights and interests therein in order that such allotments might be inclosed and held in severalty but that such beneficial purpose could not be effected without the aid and authority of Parliament and reciting that an act passed in the forty-first year of the reign of his late Majesty King George III entitled an act for consolidating in one act certain provisions usually inserted in acts of inclosure and for facilitating the mode of proving several facts normally required on the passing of such acts and also reciting that another act was

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passed in the second year of the reign of his present Majesty King George IV entitled an act for amending the law respecting the inclosing of open fields pastures moors commons and wastelands in England (*J Poole and Wm Woodcock signatures inserted*)

It is by the now written act amongst other thing enacted that John Charlton and John Seagram both since deceased should be then were thereby appointed commissioners for dividing and allotting all the open common fields common meadows common downs and other commonable lands and mounds in the Parish of Dinton aforesaid and for carrying the now written act into execution subject to such of the powers authorities directions regulations restrictions and provisions contained in the full recited acts as were not altered varied or otherwise provided for by the act now in recital

And it was thereby further enacted that in the case of the said John Charlton or any commissioners to be appointed in his place as thereafter mentioned should refuse to act or if he should before the powers and trust reposed in the said commissioners should have been fully executed die neglect or refuse to act it should be lawful for the major part in value such value to be

ascertained by the surviving or remaining commissioners for the time being of the several persons interested in the said land and grounds to be divided and allotted by virtue of the now written act except the Lord or Lords for the time being of the Manor of Dinton and Teffont otherwise Teffont Magna aforesaid who should by themselves or by their respective agents attend the meeting or meetings to be appointed for that purpose of which meeting and the intent thereof notice should be given by any two or more persons so interested as aforesaid at least ten days previous to such meeting by affixing such notice on the door of the Parish Church of Dinton aforesaid and by inserting the same in the newspaper called The Salisbury and Winchester Journal is then published and if not then in some other newspaper usually circulated in the said County of Wilts by writing under their respective hands from time to time to appoint some other fit person not interested in the said division to be a commissioner in the place of the said John Charlton and so from time to time as often as any vacancy should happen by the like neglect refusal or incapacity of any of the commissioners to be appointed the place of the said John Charlton aforesaid and if the said John Seagram or any commissioners to be appointed in his place as thereafter mentioned should refuse to act or if he should before the powers and trusts reposed in the said commissioners should have been fully executed die neglect or become incapable of acting as a commissioner it should be

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lawful for the Lord or Lords of the said Manor of Dinton and Teffont otherwise Teffont Magna for the time being by writing under this or their respective hand or hands to appoint some other fit person not interested in the said division to be a commissioner in the place of the said John Seagram and so from time to time as often as any vacancy in the commission should happen by the like death neglect refusal or impartiality of any commissioners to be appointed in the place of the John Poole William Woodcock John Seagram as last aforesaid and every person who should be nominated and appointed a commissioner as aforesaid should after taking the oath in that behalf prescribe by the said therein first recited act have such and alike powers and authorities in all respects for carrying the act now in recital and the said therein written acts into execution and should be subject and liable to the like rules regulations and restrictions as if he had been originally nominated and appointed a commissioner and by the act now in recital and after bearing enacting and declaring what should be deemed and taken to be a refusal to act within the intent and meaning of the said act now in recital

It was further enacted that the purpose of settling and determining any difference or dispute which might arise between the commissioners touching or concerning any of the matters or things to be by them determined and performed or executed in pursuance of the said act that the said commissioners should and they were thereby authorised and required at the first meeting to be held by them for the putting the said act into execution by writing under their hands to those who nominate and appoint some proper and skillful person not interested in the said division who should be willing and consent to act as an umpire and if the said commissioners could not agree in their choice of a person to act as an umpire then the vicar for the time being of the Parish of Dinton aforesaid should and he was thereby authorised by writing under his hand to those nominate and appoint some such fit and skillful person not interested as aforesaid who should be willing and consent to act as an umpire which umpire so to be chosen nominated and appointed was thereby authorised and required to hear and determine every such difference or dispute as might arise between the said commissioners concerning any matter act or thing relating to the said division allotment and inclosure or any of the purposes of the said hereinbefore recited or now reciting acts and the judgement and determination of the said umpire therein to be determined and considered to be the judgement and determination of the commissioners and should be final and conclusive upon the said commissioners and upon all other persons concerned in the said division allotment and inclosure so far as the judgement and acts

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of the commissioners were by the said acts or either of them made final and conclusive

And after therein enacting as to the appointment of a new umpire in case the umpire so to be appointed should neglect or refuse to act under the now reciting act or should die or become incapable of acting before the powers and trusts reposed in the said commissioners should have been fully executed it is provided that no person should be capable of acting in the execution of the said act as umpire until he should have taken and subscribed an oath in the form and to the effect in the now recited act set forth and it was further enacted that the said commissioners should and they were thereby directed to cause public notice to be given of the time and place of their first and every other meeting for the execution of the now recited act at least eight days before any such meeting should be holden (meetings by adjournment accepted) and that the said commissioners might and they were thereby authorised to adjourn any such meeting from time to time from place to place as they should see occasion and it was provided that all meetings for putting the now recited act into execution should be held in the Parish of Dinton aforesaid or within eight miles thereof and it was further enacted that all notices required by the said hereinbefore recited acts of the forty-first year of his late Majesty's reign to be given by the commissioners and the notices required by the now recited act to be by therein given of their meetings for the execution of the said last mentioned act should be given by writing to be affixed on the door of the Parish Church of Dinton aforesaid and by advertisements in some newspaper usually circulated in the said County of Wilts and it was further enacted that all inclosures and encroachments which should have taken place in and made from the said lands thereby directed to be divided and allotted save and except such as had been peaceably and quietly enjoyed for the space of twenty years then must pass or upwards before the passing the now reciting act without any interruptions or payment of any acknowledgement should be deemed part and part of the lands and grounds to be divided and allotted in pursuance of the said act and in case any difference or dispute should arise touching any such inclosures or encroachment being deemed part of the said lands and grounds to be divided and enclosed such differences and disputes should be examined into and determined by the said commissioners

And it is further enacted that the said commissioners should and they were thereby authorised and required to set out and allot unto and for the vicar of Dinton aforesaid and his successors in lieu of his glebe lands in the said common fields and right of the common thereunto belonging

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with plot or plots parcel or parcels of the land and grounds by the now reciting acts authorised to be divided and allotted as should in the judgement of the said commissioners be a full equivalent and compensation for such glebe lands and all right of common thereunto belonging and it was further enacted that the said commissioners should divide assign set out and allot all the lands and grounds by the now reciting act directed to be divided and allotted unto and amongst all and every person and persons body and bodies politic corporate or colleagit having any right or interest into over or upon the said lands and grounds in such shares and proportion as the said commissioners should ajudge and determine to be proportionate to the value of and full compensation and satisfaction to him or them respectively for his her or their respective rights and interest into over and upon the same lands and grounds

And it was further enacted that in case any person or persons body or bodies politic corporate or colleagit corporations aggregate or sole or other proprietor or proprietors should prior to the passing of the now reciting act

having closed any part of the lands and grounds thereby directed to be divided and allotted then it should be lawful for the said commissioners and they were thereby authorised and required to allot an award to such person or persons body or bodies corporation or corporations or other proprietor or proprietors and aforesaid all such lands as and for his her or their proportion and allotments of the land and grounds thereby directed to be divided and allotted and such further share and proportion of the said land if any as in the judgement of the said commissioners such person or persons body or bodies corporation or corporations or other proprietor or proprietors as aforesaid should be entitled to by virtue of the now reciting act but if the said commissioners should be of the opinion that such persons or persons body or bodies corporation or corporations or other proprietor or proprietors as aforesaid was not or were not entitled to so large a share or proportion of the said lands of the whole of the lands and grounds so previously inclosed as aforesaid the said commissioners should make such deduction there from assumed to be necessary to reduce the same to his her or their due share or proportion of the lands and grounds so thereby directed to be divided and allotted according to his her or their rights of interests therein so as such reduction be made with as little injury and inconvenience in regard to situation and in all other respects and circumstances would have met and reciting that it would tend to facilitate the general plan or scheme of division and arrangements of the lands or grounds thereby directed to be divided and allotted if the old inclosed or other lands or grounds not thereby directed to

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be divided and allotted were in certain cases made allottable it was further enacted that it should be lawful that the said commissioners at the request and by and with the consent of the owner or owners thereof in such cases as they should deem as expedient allot any old inclosed or other lands or grounds not thereby directed to be divided and if the owner or owners of such old inclosed or other lands or grounds was entitled to an allotment under this act by reason of his property or interest in the lands and grounds thereby directed to be divided and allotted to increase the allotment or allotments of such proprietor or proprietors to an extent proportionate to the value of the lands so to be allotted and in case such proprietor or proprietors should not be entitled as aforesaid to any allotment or allotments in the land and the grounds thereby directed to be divided and allotted then the said commissioners should and they were thereby authorised and required to allot unto him her or them such part of the said lands and grounds thereby directed to be divided and allotted and should be equal in value to and in their compensation for the land or ground to be allotted as aforesaid and it was further enacted that it should be lawful for the said commissioners to set out allot and award any land tenements or heredicaments within the said Parish of Dinton in lieu of and in exchange for any other lands tenements or heredicaments in the same parish or within any adjoining parish township or place so that every such exchange was ascertained specified and declared in the general award of the said commissioner and was made with the consent of the prospective owners or proprietors of the land tenements or heredicaments which should be so exchanged whether such owners or proprietors should be bodies corporate or colleagit corporations aggregate or sole or tenants in the fee simple fee-tail general or special or by the courtesy of England or for any life or lives or for years determinable upon any life or lives and also by and with the consent of the lessor or lessors of any leasehold heredicament and not otherwise or with the consent of the guardians trustees fee seised for charitable or other users husbands committees or attorneys of or for any such proprietors as aforesaid who at the time of making such exchanges should be receptively infant femes covert lunatics or under any other legal disability or who shall be beyond the fees or otherwise disabled to act for himself or herself with consent to be respectively testified by writing and the hands of the consenting parties are under the seals of any of them being corporations aggregates or every such exchange so to be made should be forever good valid and

effectual in the law to all intents and purposes whatsoever provided that no such exchange should be made of any land tenements or heredicaments held

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in right of any church chapel or other ecclesiastical benefits without the consent testified as aforesaid of the patron thereof and of the Lord Bishop of the Diocese in which such benefits should be situate and that no such exchange should be made of copyhold lands or tenements without the consent of the Lord or Lords of the Manor or Manors whereof the same should be holden provided also that every person or persons to whom any copyhold lands or tenements should be allotted in exchange should be then twelve calendar months next after the execution of the said award be admitted tenant or tenants of the copyhold lands or tenements so allotted and it was further enacted that the costs and charges of incident to and attending the obtaining and passing the now reciting act and dividing and allotting the lands and grounds thereby directed to be divided and allotted and all other expenses of carrying the said act into execution should be borne and defrayed by the said George Augustus Earl of Pembroke and Montgomery and William Wyndham their respective heirs executors and administrators in equal shares and proportions and should be paid at such time and place and to such person or persons as the said commissioners should by and writing under their hands direct or appoint and the same should and might be levied and received by the means and in the manner provided by the said first therein before and herein recited at

And whereas the said John Charlton and John Seagram in pursuance of the directions of the said recited act of the third year aforesaid did give public notice in the Salisbury and Winchester Journal being a newspaper usually circulated in the said County of Wilts of Monday the eleventh day of November One thousand eight hundred and twenty two and also in writing upon the principle door of the Parish Church of Dinton on Sunday the tenth day of the same month of November immediately before Divine Service that they intended to hold their first meeting carrying the said into execution at the house of Thomas Harrison known by the name or sign as The Lamb Inn at Hindon in the said County of Wilts being within the distance of eight miles from the Parish of Dinton aforesaid on Monday the twenty fifth day of November then next at eleven o'clock in the forenoon and the said John Charlton and John Seagram did meet in pursuance of such notice and at such their first meeting before they or either of them acted as the commissioner in the execution of any of the powers given to and reposed in them and by the said recited act of the forty first year of the reign of his said late Majesty King George III which oaths are

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annexed to this award and intended to be enrolled therewith as by the same act is directed and whereas at the said first meeting the said John Charlton and John Seagram immediately after having taken the oath described by the said recited act of the forty first year of his late Majesty's reign and before they proceeded in the powers and trusts vested in them by the said act of the third year of his present Majesty did by writing under their hands annexed to this award and intended to be enrolled therewith those nominate and appoint John Hayward of West Lavington in the said County of Wilts Gentlemen a proper and skillful person not interested in the said division to be an umpire between them in case of any difference or dispute and the said John Hayward did on the same twenty fifth day of November One thousand eight hundred and twenty two take and subscribe the oath described in the said recited act of the third year aforesaid which oath is also annexed to this award and intended to be enrolled therewith as by in the same act is directed

And whereas at their said fifth meeting the said John Charlton and John

Seagram did nominate and appoint Charles Pearson Charlton since deceased to be their surveyor for the purposes of the said recited act and whereas in pursuance of the said recited act of the forty first year aforesaid the said John Charlton and John Seagram caused a true exact and particular survey and measurement and plans to be taken and made by the said Charles Pearson Charlton of all the land and ground directed or authorised to be divided allotted and inclosed by the said recited act of the third year aforesaid and also of all the messuages cottages orchards gardens homesteads ancient inclosed lands and grounds within the said Parish and Manor and the said survey and measurement and plans were reduced into writing and the number of acres and decimal parts of an acre in statute measure contained in all the said lands and grounds so directed or authorised to be divided allotted and inclosed and also in all the ancient inclosed lands grounds and homesteads aforesaid and of each and every proprietors distinct property in the same respectively at the time of making such a survey and measurement and plans were therein set forth and specified and the same were verified upon the oath of the said Charles Pearson Charlton

And whereas the said John Charlton and John Seagram hold divers meetings by virtue of or under the said recited act of the third year aforesaid for the purpose of executing the several powers therein reposed in them or expressed or intended so to be pursuant and subsequent to public notices given as the said of the third year aforesaid directs and carefully viewed and surveyed the said open common fields common meadows common downs and other commonable lands and grounds by the said

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act of the third year aforesaid directed to be divided set out and allotted respectively and duly considered the same and made a just compartial and distinct valuation of the said open common fields common meadows common downs and other commonable lands and grounds and deliberately heard examined and considered the several claims and allegations and also the objections thereto respectively made before them at their several meetings specially appointed for that purpose by and on the part on behalf of all and singular the owners proprietors and parties interested therein and also settle and ascertain the several and respective rights properties and interests of the said owners proprietors and parties interested therein and before they proceeded to make any of the divisions and allotments directed in and by the said recited act of the third year aforesaid did set out and appoint the several public carriageroads and highways through and over the lands and grounds intended to be divided set out and allotted in such dirruptions as upon the whole appeared most commodious to the public and of such dimation and breadth as are hereinafter particularly described and ascertained the same by marks and bounds and prepared maps in which such roads were accurately laid down and described and signed and deposited the said maps with the Clerk for the inspection of all parties concerned and caused notices to be given thereof as by the said act of the forty first year of the reign of his late Majesty is directed and whereas the said John Charlton and John Seagram finished their division and allotment of the said open and common fields common meadows common downs and other commonable lands and grounds and caused maps or plans thereof to be prepared by the said Charles Pearson Charlton for the purpose of drawing up their award pursuant to the said recited act but the said John Charlton died before such award could be prepared and the several powers and trusts reposed in him and the said John Seagram were fully executed and whereas in pursuance of the said recited Act of the third year of the Reign of his late Majesty William Wyndham and William Barnes being the persons interested in the lands and grounds to be divided and allotted by virtue of the said Act Did on the eighteenth day of October One Thousand eight hundred and twenty six give notice that a meeting would be holden at the house of John Musselwhite the Pembroke Arms Inn situate at Wilton in the said County of Wilts on Wednesday the fifteenth day of November then next at twelve o'clock of all persons interested in the said

Inclosure for the purpose of appointing a commissioner for carrying the said Act into execution in the room of the said John Charlton deceased which notice was affixed on the door of the parish church of Dinton aforesaid on the twenty second day of the same month of October and was inserted in the said

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Newspaper called the Salisbury and Winchester Journal on the (*signatures of J Poole and Wm Woodcock inserted*) twenty eighth day of the same month of October and at such meeting so holden on the said fifteenth day of November the said William Wyndham and William Barnes being the whole of the persons interested in the said lands and grounds to be divided and allotted by the said Act who were then present neither of them being the Lord of the said Manor of Dinton and Teffont otherwise Teffont Magna aforesaid did by writing moor their hands appoint the said Charles Pearson Charlton a fit person not interested in the said Division to be a Commissioner for dividing and allotting the said open common fields common meadows common downs and other commonable lands and grounds in the Parish of Dinton aforesaid and for carrying the said Act into execution in the room and place of the said John Charlton deceased and the said Charles Pearson Charlton did on the same fifteenth day of November one thousand eight hundred and twenty six take out and subscribe the oath prescribed in the said recited act of the third year in aforesaid which said appointment of the said Charles Pearson Charlton and the oath so taken and subscribed by him are also annexed to this award and intended to be inrolled herewith AND WHEREAS the said Charles Pearson Charlton whilst acting as such surveyor as aforesaid attended the said John Charlton and John Seagrim during their valuation and division and allotment of the said open common fields common meadows common downs and other commonable lands and grounds by the said Act directed to be divided and allotted and thereby became well acquainted with the whole of their proceedings in the execution of the said recited Act and the said John Seagrim and Charles Pearson Charlton having held divers meetings at Wilton aforesaid pursuant and subsequent to public notices given as the said Act of the third year aforesaid directs and having considered proposals for several of the exchanges thereafter set out allotted and awarded and having duly weighed and considered the same gave instructions to their clerk to prepare their award and which was accordingly prepared and submitted to their perusal at a meeting held for that purpose pursuant to the said recited Act and the same was approved of by the said John Seagrim and Charles Pearson Charlton and ordered to be engrossed but further applications having been afterwards made for other exchanges between certain owners and Proprietors of lands the engrossment of the said award was suspended and in consequence thereof and of the severe illness of the said John Seagrim which terminated in his death in or about the month of May one thousand eight hundred and thirty two no further proceedings were had in carrying the said Act into execution AND WHEREAS in pursuance of and by virtue (*signatures of J Poole and Wm Woodcock inserted*) and in exercise of the power and authority given to and vested in them by the said recited act of the third year of his late Majesty

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The Right Honourable James Edward Earl of Malmesbury, the Rights Honorable William Lord of Fortesbury (?) Lord of the said ? and the Honourable Robert ? now Earl of Pembroke and Montgomery Did by writing under their respective hands bearing date the twenty ninth day of August One Thousand eight hundred and thirty two appoint the said William Woodcock (a fit person not interested in the said Division to be a Commissioner for dividing and allotting the said open common fields common meadows common downs and other commonable lands and grounds in the Parish of Dinton aforesaid and for carrying the said Act into execution in the room and place of the said John Seagrim deceased and the said William Woodcock did on the fourth day of December One thousand eight hundred and thirty two at a meeting of the said commissioners take and subscribe the Oath prescribed in the said recited Act of this third year aforesaid and which said appointment of the said William Woodcock and the oath so taken and subscribed by him are also annexed to this award and

intended to be enrolled herewith AND WHEREAS the said William Woodcock held several meetings with the said Charles Pearson Charlton pursuant and subsequent to public notice given as the said Act of the third year aforesaid directed and carefully revised the whole of the surveys valuations and other proceedings of the said John Seagrim John Charlton and Charles Pearson Charlton in the execution of the said recited Act and duly considered the same and fully satisfied himself that the said valuation was and is a fair just and impartial valuation and the said William Woodcock also duly considered the division and allotment of the said lands and grounds proposed to be made by the said John Seagrim and John Charlton and the several exchanges proposed by the several proprietors and approved by the said John Seagrim John Charlton and Charles Pearson Charlton respectively and fully satisfied himself that the same were able fair just and impartial and having concurred with the said Charles Pearson Charlton in regard to the Award so drawn up by and under the directions of the said John Seagrim and Charles Pearson Charlton the same was thereupon engrossed and the said Charles Pearson Charlton undertook to correct the Maps and plans to be affixed ? to previously to a meeting to be fixed by them for reading over and executing the said award in the presence of each of the proprietors as might choose to attend on the occasion But in Consequence of the sudden death of the said Charles Pearson Charlton in the month of May one thousand eight hundred and thirty four all further proceedings were again suspended AND WHEREAS (*signatures of J Poole and Wm Woodcock inserted*) in pursuance of the said recited Act of the third year of the reign aforesaid William Masten Barnes and William Douth (being two persons interested in the lands and grounds by the said Act intended to be divided and allotted Did on the thirity first day of May last give notice that a meeting would be holden at the house of the said John Musselwhite at wilton aforesaid on Monday the twentieth day of June then next at eleven o'clock in the forenoon of all persons interested in the said inclosure for the purpose of appointing a Commissioner

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Under the provisions of the said Act in the place of the said Charles Pearson Charlton deceased which notice was affixed on the Parish Church of Dinton aforesaid on Sunday fifth day of June and was inserted in the said newspaper called the Salisbury and Winchester Journal on the sixth day of the same month of June last and the said William Masten Barnes and William Douth being the whole of the persons interested in the saidlands and grounds to be divided and allotted by the said Act present at the said meeting on the said twentieth day of June last neither of them being Lord of the said Manor of Dinton and Teffont under their hands appoint the said James Poole a fit person not interested in the said division to be a commissioner for dividing and allotting the said open common fields common meadows common downs and other commonable lands and grounds in the parish of Dinton aforesaid and for carrying the said Act into execution in the room an dplace of the said Charles Pearson Charlton deceased and the said James Poole did upon the same day take and subscribe the Oath presecrbed in the said recited Act of the third year aforesaid which said appointment of the said james Poole and the oath so taken and subscribed by him and also annexed to this award and intended to be enrolled herewith And whereas the said James Poole was for many years employed in the offices of the said John Charlton and Charles Pearson Charlton during the progress of the said division and allotments and assisted them in preparing the maps and plans of the said intended division and inclosure and the survey books and valuations of the said lands and grounds and thereby in some measure became acquainted with the proceedings under the said recited act and since his appointment as commissioner has carefully revised and examined the whole thereof and is satisfied with the fairness justice and impartiality of valuation division and allotments and also of the several exchanges proposed to be made and under the said act and approved of by the said John Charlton Charles Pearson Charlton John Seagram William Woodcock as aforesaid and the said James Poole and William Woodruff have since also held divers meetings and

duly informed themselves of all other matters and things relating to the said division and allotments proper and requisite to be waived and considered in order to do equal justice to all parties concerned and whereas the said several proprietors and persons interested in the said division and allotment have long ago entered into and are now in possession of the several allotments and exchanged land set out and allotted to them respectively by the said commissioners and are satisfied therewith now therefore know ye that we the said James Poole and William Woodcock having completed the division and allotment of the said open common fields common meadows common downs and other commonable lands and grounds and also that the land and old inclosures proposes to be given back by the several owners and proprietors thereof for the purpose of allotments pursuant to the purport and direction of the said recited act of the third year aforesaid and having done all other things necessary in our judgement for carrying the said recited act into execution according to the true intent and meaning thereof

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do by virtue of the powers and pursuant to the directions of the recited act forty first year of the reign of his said late Majesty make publish and declare this our award or instrument in writing under our hands and seals of an concerning the said division and allotment in the manner and form following that is to say and first we the said commissioners do hereby declare that the several maps or plans hereunto annexed marked with the letters A and B and signed with our respective hands and which we do hereby declare and direct the considered and taken as part of our said award and to be enrolled therewith were formed drawn up and completed under the direction of the said John Charlton and John Seagram the better to describe the several new allotments and divisions made and premises exchanged by virtue of the said recited acts and that we have examined and do approve the same maps or plans and we do hereby declare that we have caused the several allotments by some aid and premises exchanged to be marked in such maps or plans with certain figures numbers and marks to which we have hereinafter referred and we have also caused to be marked in the said maps or plans the several public and private carriageroads ways and footpaths hereinafter set out and appointed to be made in through and over and by the sides of the same allotments and we do hereby declare that in making and setting out all such allotments hereinafter by as set out divided allotted and awarded due regard has been made in regard to the quantity quality situation and convenience thereof and that the same are laid as convenient as could be to the messuages buildings and inclosed grounds of the respective proprietors to whom such allotments are made and we the said commissioners do also declare that all the satisfaction and information of the several owners and proprietors of all and singular the messuages or tenements estates lands and hereditaments in the said Parish of Dinton which have been or are affected or altered by the said division an allotment or exchanges we have prepared a terrier or account of all unsingular the messuages or tenements homesteads closes and pieces or parcels of land of and belonging to them respectively as well those which have not been or are affected or allotted in consequence of the said division and allotments as those which are intended to be allotted to them respectively in and by this our award which terrier or account is contained in the first schedule to this our award to which we have hereinafter referred and for the better description of the several messuages or tenements lands hereditaments and premises exchanges I any or either of the said owners and proprietors with any other owner or proprietor same exchanged premises are described and set forth in the second schedule to this our award and we do hereby declare and direct stubsted to several schedules shall be considered and taken as part of this our award and be enrolled therewith and by virtue and in pursuance of the power and authority in as given and reserved and by the said act of Parliament of the forty first year of the reign of his said late Majesty we the said commissioners have set out and appointed and by these

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presents do set out and appoint ascertain and describe the several **Public Carriage Roads and Highways** and also the several **Private Roads and Public Footpath** in through and over land by the side of the several allotments made by virtue of the said recited act of the third year aforesaid and in such directions and of such breadths and dimensions as are hereinafter particularly mentioned and described viz!

No. I One Publick Carriage Road and Driftway called the Ox Drove of the breadth of 110 feet commencing at New Inn Lane in Dinton and proceeding westward in its ancient course through and over the downs of Dinton and Teffont to Chilmark Down (now Teffont 10 and Dinton 10 Byway Open to All Traffic)

No. II One Publick Carriage Road of the breadth of thirty feet and called the Dinton and Warminster Road commencing near the north west corner of an Old inclosure called Little Wayfield in Dinton and proceeding in north westward in its ancient course through and over Dinton Down and the common fields and downs of Teffont to Bapton Down (now part unrecorded and part road C.64)

No. III One Publick Carriage Road of the breadth of thirty feet called the Wylve Road branching out of the Old Turnpike Road from Salisbury to Hindon at Jackthorns in Teffont and proceeding Northward in its ancient course through and over the common fields and Down of Teffont to the Oxdrove at the north west corner of Thickthorn ffield (now Teffont 9 Bridleway)

No. IV One Publick Carriage Road of the like breadth of thirty feet also called Wylve Road branching out of the Oxdrove opposite the north east corner of Thickthorn ffield and proceeding northward in its ancient course through and over the common fields of Teffont to Wylve Down (now north section of road C.64)

No. V One Publick Carriage Road of the like breadth of thirty feet called the Teffont and Warminster Road commencing at or near the Spring Road in Teffont and proceeding north westward in its ancient course and direction across the common fields and down of Teffont to Chilmark Down (now road C.277)

No. VI One Private Road in Teffont of the width of twenty feet (J. Poole. Wm Woodcock) commencing near west mead in the public road from Teffont to Warminster and extending northerly over allotments to the representations of John Lush No 164 and 172 and between allotments to Robert Henry now Earl of Pembroke no. 165 and 166 and an allotment to the representatives of John Lush no. 167 to an allotment to the said representatives no. 181 (not in definitive map or highway record)

No. VII One Private Road in Teffont of the width of twenty feet also commencing near West Mead in the Public Road from Teffont to Warminster and extending north easterly over an allotment to the representatives of John Lush no. 164 to an allotment to the said Earl no. 159 (western end now part of Teffont 5 Bridleway)

No. VIII One Publick Footpath of the width of six feet commencing near a tenement formerly called the Black Horse Inn at Teffont and branching out of the Old Turnpike Road and extending south and eastward over allotments to William Wyndham Esquire no. 191. 192 and 195 and old inclosures called the Park belonging to William Wyndham Esquire in Dinton to Dinton Church (now Teffont 8 bridleway)

No. IX One Private Road of the width of twenty feet branching out of the Turnpike Road from Hindon to Sarum and extending in its ancient course south and west through and over certain lands called the common grounds to Catherine fford Lane (not in definitive map or highway record)

No. X One Private Road of the width of twenty feet extending out of the

private Road no. IX and extending in its ancient course southwardly between two pieces of land called Green Beach (?) and Ten acres to the south west corner of Ten acres and from there eastwardly to a meadow called Beaches (?) in the occupancy of Mary Wright (not in definitive map or highway record)

No. XI One Private Road of the width of twenty feet branching out of the private Road no. IX and extending westward on the south side of a meadow in the occupation of William Barnes to a meadow called Common Ground in the occupation of James and William King (not in definitive map or highway record)

No. XII One Private Road of the width of twenty feet branching out of the old Turnpike Road from Hindon to Sarum and extending northeastward on the north west side of hydes (?) Coppice to allotments to Samuel Jesse no. 476, 477, 478, 479 and 483 (not in definitive map or highway record)

No. XIII One Private Road of the width of twenty feet branching out of the Old Turnpike Road from Hindon to Sarum and extending north and north east between and over allotments to the said Earl of Pembroke numbered respectively 469, 470, 468, 471, 467, 472, 466, 354, 554, 556 and 557 for estates in the several occupations of Samuel Jesse William King Walter Bailey and James and William King to an allotment to the said Earl of Pembroke no. 559 (now part restricted byway Dinton 11)

No. XIV One Private Road of the width of twenty feet branching (J poole, Wm Woodcock) out of the private Road no. XIII and extending north and west between allotments to the said Earl of Pembroke numbered respectively 473, 553, 556, 552, 551 and 550 for estates in the several occupations of Walter Bailey, William Barnes James and William King Samuel Jesse and Joel Douty respectively to an allotment to the Reverend Doctor Linton for glebe no. 485 (not in definitive map or highway record)

No. XV One Private Road of the width of twenty feet branching out of the private Road no. XVI at the north west corner of Rye Close and extending easterly over an allotment to the said Earl of Pembroke no. 544 to an allotment to the said Earl of Pembroke no. 545 (not in definitive map or highway record)

No. XVI One Private Road called the Marshwood Road of the width of twenty feet branching out of the Old Turnpike Road from Dinton to Sarum and extending north and north east through and over allotments numbered respectively 486, 487, 488, 489, 490, 491, 503, 544, 521, 543, 522, 542, 523, 541, 540 and 536 to the public Road called the Ox Drove (not in definitive map or highway record) NB The road that is now the C.64 is NOT this one.

No. XVII And One Private Road of the width of twenty feet commencing at Oakley Coppice and extending east and north over allotments numbered 534 and 535 to the public road called the Ox Drove. (not in definitive map or highway record)

Which said several private Roads are so set out for the use of the several and respective proprietors and occupiers of land adjoining and through and to which the same respectively lead.

And we the said Commissioners in virtue and in pursuance of the power and authority to us given and reserved in and on the said Acts of Parliament hereinbefore recites and referred to have set out allotted and awarded and by these present do set out allot and award Unto and for The Reverend Henry Linton Doctor in Divinity Vicar of Dinton aforesaid and his successors in lieu of his Glebe lands in the said common fields and Rights of Common thereunto belonging the several plots and parcels of lands and grounds particularly mentioned and described in the said ffirst ? to this our award as allotments to the said Henry Linton for glebe and numbered respectively 227, 211 * 484, 485, 486 and 488 which said several allotments together with the messuages or tenements homesteads those pieces or parcels of land mentioned and described in the said first ? under the name of the said Henry Linton as Vicar of Dinton the proprietor thereof comprise the whole of the messuages or tenements homesteads closes pieces or parcels of land belonging to him as Vicar of

Dinton aforesaid and are in the judgement of us the said Commissioners a full equivalent comparison and satisfaction as well for the said glebe lands in the said open Common fields Common meadows (J poole Wm Woodcock) Common Downs and other commonable lands and grounds by the said cited Act recited to be divided and allotted and all right of common thereunto belonging as for the messuages or tenements closes pieces or parcels of land belonging to the said Henry Linton as Vicar of Dinton which have not been as one varied or affected by the said Division

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And allotment and the several other inclosed and other lands and grounds theretofore belonging to the said Henry linton as Vicar of Dinton aforesaid and at the request and by his consent allotted to any other person or persons in and by this award.

The award continues with details of land allotments, an Oath taken by William Wyndham and William Barnes, also by Trustees of the Right Honorable Robert Henry earl of Pembroke and Montgomery. Also by William Masten Barnes and William Douty.

Also enrolled are sworn statements by John Charlton, John Seagrim, John Hayward, Charles Pearson Charlton, William Woodcock and James Poole.

Also enrolled are two maps. Plan A showing allotments and roads and Plan B showing exchanges in Teffont.

The Award carries a number of declarations as follows:

"January 15 1837 - The execution of this Award was proclaimed and published in the Parish Church of Dinton in the County of Wilts." M Terry Curate

"Signed sealed and delivered by the within named James Poole and William Woodcock in the presence of Jn Swayne, Wilton"

"Signed sealed and delivered by the within named William Wyndham William Masten Barnes Thomas Barnes James Humley Walter Fitz and the said Walter Fitz as chapel warden of Teffont in the presence of Thomas Hale, Wilton, Wilts"

"Signed sealed and delivered by the within named Robert Henry Earl of Pembroke and Montgomery in the presence of Henry Bicknell Solicitor Grocers Hall London"

"In pursuance of an Act of Parliament made and passed in the 41st 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 Acts usually required on the passing of such Acts the foregoing award or instrument in writing ingrossed and written on parchment and signed and sealed by the Commissioners therein named together with the oaths thereunto annexed was this Eleventh day of February in the year of our Lord One thousand eight hundred and thirty seven inrolled with the Clerk of the Peace of the County of Wilts" signed by Jn Swayne, Clerk of the Peace in the County of Wilts.

Notes from Database and associated book by Roger Kain, Richard Oliver and John Chapman The Enclosure Maps of England and Wales 1595 - 1918 (Cambridge University Press 2004)

Map scale 6 chains to one inch. Two maps 109 x 120 (Plan A) and 66 x 93 (Plan B). Map maker Charles Pearson Charlton. Quality of execution of map - Good. Turnpike roads indicated by name, foot and bridleways present un-named. Tenurial info: leasehold; all types of tenure noted. Lakes and ponds shown by colour or line work. Inhabited properties coloured carmine, uninhabited properties coloured grey. Woods shown by symbol and name and by tinted grey fleck. Coppices shown as woods are. Parkland shown by symbol and name.

Commons shown by name, some hachure. Hedges shown with indication of ownership. Large houses only named. Post enclosure field allotment and allotment acreages complete.

Sally Madgwick
Rights of Way Officer October 2014

This transcript is taken from EA150 Wiltshire and Swindon History Centre
A certified copy of the award as a transcript (including allotments) is held
at Wiltshire and Swindon History Centre at catalogue no. 2069/16