

BASLOW ENCLOSURE ACT 1824

"To all to whom these Presents shall come I Robert Harvey Wyatt of Barton Moor Needwood in the County of Stafford gentleman Send Greetings

Whereas by an Act of Parliament passed in the fourth year of the reign of his present Majesty intituled "An Act for inclosing Lands in the Manor and Township of Baslow and Hamletts of Bubnell, Curbar and Froggatt all in the said Manor of Baslow and in the parish of Bakewell....." I the said Robert Harvey Wyatt was appointed the Commissioner for setting out, allotting and inclosing the several commons and waste lands within the said Manor, Township and Hamletts and for carrying the purposes of such Act into execution subject to the restrictions therein contained And also subject to the Rules Orders and Directions mentioned and contained in an Act made and passed in the forty first year of the reign of His late Majesty King George III intituled "An Act for consolidating in our Act certain provisions usually inserted in Acts of Inclosure and for the facilitating the mode of proving "the several parts usually required on the passing of such Acts" And also of another Act made and passed in the second year of the reign of His present Majesty intituled "An Act to amend the Law respecting the inclosure of open fields Pastures Moors Commons and Waste Lands in England." And whereas I, the said Robert Harvey Wyatt at my first Meeting held for carrying the said Acts into execution (pursuant to the notice given for that purpose) did first take and subscribe the Oath thereby required to be by me taken as Commissioner and afterward proceeded conformably thereto.

And Whereas William Gauntley of Bakewell in the said County of Derby Land Surveyor (one of the people called Quakers) was by an order made by me at my said first Meeting appointed the Surveyor for making a true and exact and particular Plan of all the Lands and Grounds to be divided allotted and inclosed within the said Manor and Township of Bas low and Hamlets of Bubnell Curbar and Froggat (Which survey Admeasurement and Plan hath been made by the said William Gauntley and verified as required by the Act of the forty first year of the reign of the said King which affirmation of the said William Gauntley and also the Oath of the said commissioner are annexed to this my award -----).

I find by such Survey and Admeasurement made as aforesaid that the several open and uninclosed Commons and Waste Lands directed by the said Act to be set out divided allotted and inclosed (exclusive of the Roads directed by me to be fenced out over the same) contain in the whole Three thousand nine hundred and thirteen acres and twenty perches (as follows) In the township of Baslow One thousand five hundred and one acres and two roods In the Hamlet of Bubnell One thousand six hundred and ninety one acres one rood and nineteen perches In the Hamlet of Curbar Ffive hundred and seventythree acres one rood. and thirteen perches and in the Hamlet of Froggart one hundred and fortysix acres three roods and twentyeight perches And for the better illustration of this my award I have annexed a Map or Plan or Maps or Plans whereon are delineated the public and private roadways ffoot-paths Quarries ffences and Landmarks also the Allotments and Exchanges made set out and appointed by me under the authority of the said Acts or any

of them in the said Manor and Township of Baslow and Hamlets of Bubnell Curbar and Froggat and whereon are also described or written the numbers or Figures respectively referring to such allotments and exchanges mentioned therein With Map or Plan or Maps or Plans I declare and direct to be taken as part of this my Award.

I have set out and appointed and do hereby award the following public Carriage Roads and Highways and private Carriage Roads and footways to be hereafter used through and over the several Commons and waste Lands within the said Manorand Froggat that is to say -

Public Carriage Roads

BASLOW GREEN ROAD.

One public Carriage Road and Highway in the Township of Baslow of the breadth of thirty feet at the least, as now staked out, extending from the Northern end of Tithe Barn Land over the South western and South sides of Baslow Green to the Eastern end of an ancient Lane leading to Baslow Bridge.

CURBAR ROAD.

Also one public Carriage Road and Highway in the Hamlet of Curbar leading from Baslow to Froggat in its present position of the breadth of thirty feet at the least as now staked out extending over that part of the waste land in the village of Curbar as lies between the Hearnstone Lane Head Turnpike Road leading from Curbar to Chesterfield and the lane adjoining the Garden belonging to the Duke of Rutland and in the occupation of Thomas Parker on the North side of the said village-

FROGGATT GREEN ROAD.

And also one public Carriage Road and Highway in the Hamlet of Froggat leading from Stoke to Holmesfield nearly in its present direction of the breadth of thirty feet at the least as now staked out extending over that part of the waste land adjoining the village of Froggat as lies between Jason Worralls Homestead and the Greenhill Moor Turnpike Road and by and with the consent of the Duke of Rutland over an ancient Inclosure in the occupation of Jason Rollinson and an ancient Intake in the occupation of Mary Stone both living in Froggat aforesaid and belonging to the Duke of Rutland.

Private Carriage and Drift Roads. (later - Cattle Rds.)

GOOSE GREEN ROAD.

One private carriage and Drift Road in the township of Baslow of the breadth of twentyone feet at least as now staked out extending over the Eastern sides of Goose Green from the Turnpike Road leading from Chesterfield to

Hernstone Lane head in a Northwardly direction to the Turnpike Road leading from Baslow to Totley -

BASLOW GREEN ROAD.

One private Carriage and Drift Road in the Township of Baslow of the breadth of twenty four feet at the least as now staked out extending from the Baslow Green public Carriage Road hereinbefore described in its present North-easterly and Northerly direction over Baslow Green to the Southern end of Goose Green Lane -

FROGGATT GREEN ROAD.

One private Carriage and Drift Road in the Hamlet of ffroggatt of the breadth of twenty four feet at the least as now staked out extending from the public Carriage Road near Stokebridge in its present Easterly and Northerly direction to an ancient Inclosure adjoining ffroggatt Green belonging to Robert Worralls called Malthouse Yard -

And I do hereby declare that the said several private Carriage and Drift Roads are set out and awarded for the use of the several Owners and Occupiers for the time being of the several Houses and Lands to which the same respectively lead or adjoin And that such Roads shall be maintained and kept in repair in such and the like manner as the public Roads are maintained and kept in repair in each Township or Hamlet within the said Manor of Baslow -

MANORIAL ALLOTMENT ROAD

One other private Carriage and Drift Road in the Township of Baslow of the breadth of twentyone feet at the least extending from the Turnpike Road leading from Curbar to Chesterfield over and by the side of Allotment No.4. on Plan A hereinafter made to the Duke of Rutland for Common Right to the Northerly Corner of Allotment No.5 on Plan A hereinafter made to the said Duke as Lord of the Manor of Baslow which road is set out and awarded for the use of the Owners or Occupiers for the time being of the several Allotments adjoining the said Road and shall be maintained and kept in repair by and at the expense of such owners or occupiers -

PRIVATE FOOT-WAY. FROGGAT WELL ROAD.

One private foot-way in the Hamlet of ffroggatt of the breadth of six feet at least as now staked out extending from the ffroggatt Green public Carriage Road hereinafter described in its present Southerly and Westerly direction over ffroggat Green to the well adjoining the Homestead belonging to Jason Worrall which private ffoot-way is set out for the use of the inhabitants of the Hamlet of ffroggatt for the purpose of removing water from the said well And I direct that the said private footway shall be repaired and maintained by the Occupiers of Houses and Lands in the same Hamlet in the like proportion as they contribute to the relief of the aforesaid

TO BARLBOROUGH HOSPITAL ALLOTMENT No..67 Plan A.

One other private ffootway in the Hamlet of ffroggatt of the breadth of six feet extending from the Greenhill Moor Turnpike Road by the Northerly fence of

Allotment No.72 on Plan A made to the Duke of Rutland as Lord of the Manor over Allotment No.73 on Plan A made to the said Duke for Common Right in a Southeasterly and straight direction to Allotment No.67 made to the Trustees of Barlborough Hospital which Road is set out and awarded for the use of the Owner or Occupier for the time being of the said Allotment No.67 made to the said Trustees –

TURNPIKE ROADS

I do declare that the following Turnpike Roads upon the said Commons and waste Lands are situated within the Township or Hamlets hereafter particularly (PAGE4) mentioned that is to say

In the Township of Baslow

The Road from Baslow to Chesterfield in two branches viz. one branch on the North and the other on the South of Heathy Lea Brook.

The Road from Baslow to Totley.

That part of the Road leading from Curbar to Chesterfield which lies between the Totley Turnpike and the Liberty of Brampton.

In the Hamlet of Bubnell.

That part of the Road leading from Curbar to Chesterfield which lies between the Southwesterly corner of Allotment No.64 made to the Duke of Rutland and the Totley Turnpike.

In the Hamlet of Curbar.

That part of the Road leading from Curbar to Chesterfield which lies between the Village of Curbar and the Southwesterly corner of Allotment No.64 made to the Duke of Rutland.

In the Hamlet of Froggatt

The Road from Calver to Greenhill Moor.

ALLOTMENTS FOR MATERIALS FOR ROADS.

To the Surveyors of the Highways of Baslow - Ia 0r 0p

I do hereby set out and allot unto the Surveyor or Surveyors of the Highways of the Township of Baslow for the time being for the getting of Stone for the use of the Highways and private Roads within the said Township all that piece or parcel of land No.16 in the annexed plan marked A part of the Commons in the said Township of Baslow containing one acre bound North easterly by the Turnpike Road leading from Curbar to Chesterfield South easterly and Southwesterly by an Allotment No.4 made to the Duke of Rutland and Northwesterly by Allotments No.14 and No.15 also made to the said Duke -

To the Surveyors of the Highways of Bubnell - 1a 0r 0p

I do hereby set out and allot ----- All that piece or parcel of land No.40 in the annexed plan marked A part of the Commons of the said Hamlet of Bubnell containing one acre bounded Southwesterly by the Turnpike Road leading from Curbar to Chesterfield and on all other sides by the Allotment No.60 made to the Duke of Rutland.

And I direct that the fences for enclosing this Allotment against the said Road shall be made and maintained by the said Surveyor or Surveyors for the time being- (This direction also appears after the Baslow, Curbar and Froggatt Allotments for road materials.)

To the Surveyors of the Highways of Curbar- 1a 0r 0p

I do hereby set out and allot ----- All that piece or parcel of Land No.59 in the annexed plan marked A part of the said Commons in the said Hamlet of Curbar containing one acre bounded Southwesterly Easterly and Southeasterly by an Allotment No 58 made to the Duke of Rutland -

To the Surveyors of the Highways in Froggatt- 0a 3r 12p.

I do hereby set out and allot All that piece or parcel of land No.71 in the annexed Plan marked A part of the said Commons in the said Hamlet of ffroggatt containing three roods and twelve perches bounded Southeasterly by the Greenhill Moor Turnpike Road Westerly by ancient Inclosure of the Duke of Rutland and Northeasterly by an Allotment No.70 made to the Honourable John Simpson –

ALLOTMENTS FOR GLEBE AND TITHES.

Allotment to the Vicar of Bakewell for small tithes in Baslow

I have set out and allotted and do hereby award unto ffrancis Hodgson Clerk as Vicar of the parish of Bakewell (in exchange from John Henry Duke of Rutland with the consent in writing of the said Duke, Dean and Chapter of Lichfield and Vicar) the following ffreehold Buildings Lands (Page 5) Hereditaments belonging to the said Duke situate in the Township of Bakewell aforesaid (that is to say) All that Messuage Dwelling House or Tenement with the Barn Outbuildings yard and premises adjoining lately purchased by the Duke of Rutland from Isaac Barnet containing sixteen perches being No.138 on Plan F bounded Easterly by a Yard belonging to Isaac Barnett and a house and garden belonging to John Marshall and Southerly and Westerly by the Vicarage Garden or pleasure Ground Also all that ffarmhouse with the garden Yard and Croft and the Outbuildings thereto adjoining in the occupation of John Stafford containing two roods and six perches being No. 137 on Plan F together with two adjoining closes of Land called Pickford Yards in the possession of John Barker containing five acres and sixteen perches being Nos 135 and 136 on Plan F which last described ffarmhouse Buildings Croft and Closes containing together five acres two roods and twentytwo perches

are bounded Easterly and Southerly by the Turnpike Road leading from Bakewell to Newhaven and also Southerly by the Monyash Public Carriage Road Southwesterly by land of John Ridgard Northwesterly by other land of John Ridgard and land of Daniel and John Naylor and Northerly and Northeasterly by land of Richard Arkwright Esquires:-

And also all that parcel of land called the Butts Close in the occupation of William ffrost containing one acre three roods and three perches being No.139 on Plan F bounded Easterly by a Plantation belonging to the said Duke of Rutland and the Butts Road Westerly by the Turnpike Road leading from Bakewell to Newhaven and Northerly by Land belonging to Richard Walthall and the said Plantation All which Premises contain seven acres two roods and one perch and are in lieu of Allotment No.36 on Plan A. part of the said Commons in the Township of Baslow containing sixtyfour acres three roods and eleven perches - Allotment No.64 on Plan A part of the said Commons in the Hamlet of Bubnell containing fiftytwo acres and thirtyfive perches - Allotment No.63 on Plan A part of the said Commons in the Hamlet of Curbar containing seventeen acres one rood and thirteen perches - and containing four acres two roods and four perches Which last four Allotments together one hundred and thirtyeight acres three roods and twentythree perches were set out to the said Vicar for all the small Tithes including Adjustment Tithes and payments in lieu of Tithes arising or payable or which could or might arise -----payable to the said Vicar within the said Manor or Township of Baslow and Hamlets of Bubnell Curbar and ffroggatt aforesaid (Easter Dues Mortuaries and Surplice ffees only excepted) and which Alotments in my judgement are not of less clear annual rent or value the said Duke in exchange from the said Vicar -

Allotment to the Curate of Baslow- 0a 0r 23p.

I have set out and allotted and do hereby award unto Anthony Auriol Barker Clerk as Curate of the Chapelry of Baslow and his successors (in exchange with John Henry Duke of Rutland with the consent in writing of the said Duke and also of the Dean and Chapter of Lichfield and Patron of the said Curate - All that piece or parcel of ffreehold Land being No.103 on Plan B now used as a garden heretofore belonging to the said Duke being formerly part of an ancient enclosure called the Holme situate in the Township of Baslow adjoining the Vicarage House and Garden there containing twentythree perches now in the occupation of the said Anthony A.Barker bounded Easterly and Southerly by ancient Inclosures called the Holmes belonging to the said Duke Westerly by the Curates Garden and Northerly by the Church Yard-

The fences against the said Holmes having already been made by and at the expense of the said Duke I direct shall hereafter be maintained and kept in repair by the said Curate and his successors Which Land and premises are in lieu of an Allotment set out to the said Curate on the Commons within the said Manor of Baslow being No.28 on the Plan A containing three acres for this right of Common in respect of the - Messuage and land situate in the said Township of Baslow to which he is entitled as Curate as aforesaid and hereinafter alloted and awarded in exchange to the said Duke of Rutland

Allotment to the Lord of the Manor of Baslow.

No.5 82a 0r 13p.

I have set out and Allotted and do hereby award unto the said John Henry Duke of Rutland (as Lord of the Manor of Baslow aforesaid agreeable to the directions of the Act inclosing the said commons) A piece or parcel of land No.5 in the annexed Plan marked A part of the Commons in the said Township of Baslow containing eightytwo acres and thirteen perches bounded on all sides by Allotments Nos.4, 30, 31, 32, 33, 34, and 35 made to the Duke of Rutland

Allotments to the Duke of Rutland in Exchange.

Also I do allot and award unto the said John Henry Duke of Rutland in exchange from the several persons following that is to say---

No.36 54a 3r 11p

From the Vicar of Bakewell all that piece or parcel of Land No.36 on Plan A part of the Commons and waste Lands in the Township of Baslow containing sixtyfour acres three roods and eleven perches bounded North-easterly by the Turnpike Road leading from Curbar to Chesterfield South-easterly by allotmentNos.37 and 4 to the Duke of Rutland and ancient Inclosure called Clot Hall belonging to the said Duke South-westerly am Northwesterly by Allotments Nos.4 and 35 made to the said Duke

BASLOW

Special Allotments to the Duke of Rutland

For small Tithes in exchange from the Vicar of Bakewell for Property in Bakewell.

Page in Award- 25. Plan- A. No. on Plan- 36.

Commons and Waste Lands- 64a 3 r 11p.

BUBNELL

Special Allotments to the Duke of Rutland

For small Tithes in exchange from the Vicar of Bakewell for Property in Bakewell.

Page in Award - 25. Plan- A. No. on Plan- 64.

Commons and Waste Lands- 52a 0r 35p.

CURBAR

Special Allotments to the Duke of Rutland

For small Tithes in exchange from the Vicar of Bakewell for Property in Bakewell.

Page in Award- 25. Plan- A. No. on Plan- 63.
Commons and Waste Lands- 17a 1r 13p.

FROGGATT

Special Allotment to the Duke of Rutland

For small Tithes in exchange from the Vicar of Bakewell for Property in Bakewell.

Page in Award- 26. Plan- A. No. on Plan- 81
Commons and Waste lands - 4a 2 r 4p.

IN THE TOWNSHIP OF BAKEWELL

Allotments - The Vicar of Bakewell

In exchange from the Duke of Rutland for Allotments for small tithes in Baslow Bubnell Curbar and Froggatt

Page in Award Plan No 5.Commons and W. Land - Old Inclosed Land

F	137	0a 2r 6p
F	138	0 0 16
F	135 & 136	5 0 16
F	139	1 3 3

Note Thus the Duke exchanged about 7½ acres of Bakewell Land for about 139 acres of moorland.

The foregoing extracts comprise those details contained in the Award Book which relate to Bakewell and Baslow in particular. Copies of the Plans in the Award are included or given at the end of this book.

NOTE BY D Dalrymple-Smith

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