Anno tricesimo

Georgii II. Regis.

An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of *Ramsey*, *Bury*, *Wistow*, *Warboys*, *Farceitt*, *Standground*, and *Water-newton*, in the County of *Huntingdon*, and of *Doddington*, in the *Isle of Ely*, and County of *Cambridge*.

WHEREAS certain Fen Lands and Low Grounds in the several Townships or Parishes of Ramsey, Bury, Wistow, Warboys, Farceitt, Standground, and Water-newton, in the County of Huntingdon, and also in the Township or Parish of Doddington, in the Isle of Ely, and County of Cambridge, containing in the Whole, by Estimation, Nine thousand one hundred and eighteen Acres, or thereabouts; and which are bounded and described as follows; that is to say, Beginning at the South Bank of the Forty Foot River; and from thence along by the Side of the Dutring Ditch of a Piece of Ground of William Chandler, which divides that and a Quchwood Part, called Preamble.

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called A Thistle Green Lot; and from thence to the Farm-yard of Coulson Fellowes Esquire, now in the Occupation of Abraham Staffourth; and from thence along the Skirts of the Highlands belonging to the said Farm; and from thence along the Skirts of the Highlands of Worlick Farm; and from thence along by the Skirts of the Highlands of another Farm of the said Coulson Fellowes, in the Tenure or Occupation of Elizabeth Salmon, Widow; and from thence along by the Skirts of the Highlands of one other Farm of the said Coulson Fellowes, now in the Occupation of Henry Brown; and from thence along the Skirts of the Highlands adjoining to certain Fen Grounds called The Hollow Head; and from thence along the Highland Skirts of a Ground called The Oaktree Ground, to the Skirts of the Highlands of Simon Earl of Harcourt, to the Outring Ditch that divides the Parishes of Ramsey and Bury, to the Outring Dike of a Bury Fen Lot belonging to Richard Batson, which divides that Lot from a Lot of John Poulter, Yeoman, to a certain Drove called Long Drove, and across the said Drove to the Outring Dike of a Lot of Helen Smith, Widow, which divides a Lot of the said John Poulter and a Lot of Ann Sibley, Widow, to the Outring Dike of Jonathan Nicholls Gentleman, and along the said Dike to the North End of a Piece of Land called Willow-row, belonging to the said John Poulter, and along the East and South Dike of the said Willow-row to a Drove called Jack's Corner Drove, and along the said Drove to a Twenty Acre Piece of Sir John Barnard Baronet, and along the Division Dike, which divides a Lot of Stephen Gosslin, Yeoman, and a Lot of the said Sir John Barnard, to a Division Dike, which in part divides the said Twenty Acres and Vicar's Closes, and thence across a Drain, which in part divides the said Vicar's Closes and Jack's Corner, the Lands of the said Sir John Barnard, to a Dike which divides the High Lands of the said Vicar's Closes from the fenny Parts thereof, to a Wistow Fen Lot called Durrant's Lot, from thence to a Drove called Durrant's Drove to Wistow Fen Long Drove, and from thence to Wistow Stray Pasture Drove, and along the same to Wistow Stray Pasture, and along the Highland Skirts thereof to the Division Dike which divides the Parish of Warboys and the said Wistow Stray Pasture, and the Land Skirts of Warboys Stray Pasture next the fenny Parts thereof, to the Outring Dike of the said Stray Pasture, which divides that and the Common called Old Stray Pasture, and along the said Dike to the Outring

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ring Dike of Mary Catlin, Widow, which divides her Adventurers Land and the said Common called the Old Stray Pasture; and from thence to Puddock Drove; and from thence, along the said Drove, to Puddock Bridge, or the South Bank of the Forty Foot River; and from thence, along the said Bank, to that Part thereof which is opposite to the aforesaid Piece of Ground of the said William Chandler, adjoining to his Muchwood Part, and called A Thistle Green Lot: and all the Lands and Grounds lying within such Boundaries, containing, by Estimation, Three thousand eight hundred and fifty seven Acres, or thereabouts; which said Lands and Grounds may be conveniently, and are therefore herein after made, the First District of the Lands and Grounds intended by this Act to be drained and preserved; and all those Lands and Grounds lying within the Fen called Stocking Fen, or Stocking Fen Lottery, beginning at the House of Robert Boyden, in the Great White at Ramsey Town's End, along the East Bank of Ramsey High Load to the Drove-way which runs from the said High Load opposite to the Gate of the Yard called The Bricklin, and thence along the Dikes which divide Muchwood Parts, Bangor's Fields, and the said Stocking Fen; and thence by the Dike which divides the Lands of David Burges, and Holiday's Closes, to the Dutring Dike which divides the Grounds called Islington; and by the said Dike to Muckhill End; and so along the Drove at the Yard's End to the Garden and House of the said Robert Boyden, and all the Lands and Grounds lying within such Boundaries, in the said Township or Parish of Ramsey, containing, by Estimation, Two hundred and Fifty Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made, the Second District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds lying within the said Fen called The Bill, or Bill Lottery, bounded on every Side by the Nene, Ramsey High Load, and the Bill Load, and all the Lands and Grounds lying within such Boundaries, in the said Township or Parish of Ramsey, containing, by Estimation, Two hundred and sixty four Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made, the Third District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds bounded and described, as follows; that is to say, Beginning at the Gate-way upon the Bank on the North Side of the River Nene, between the Lands

called Plaws, and the Corner of the Dutring Dike of a Loadsend Lot of Robert Serjeant, along the said Bank next the River Nene, to Peter Descow's Bridge; and then by the Side of Ramsey Hern, next the said River, to the Corner of Draper's Delph; and from thence to be continued next to the Dutring Dike of Ramsey Hern, next Draper's Delph, to the said River Nene, along the East Bank thereof, to Dantree Style, next the Common called The Gore Common; and along the same, next the Dutring Dike of Dantree Farm; and excluding Dantree Farm, to a Farm of the said Coulson Fellowes, in the Occupation of Hosea Taffine; and along the said Farm, next the Dutring Dike of the said Dantree Farm; and thence along the North Side of the Division Dike which divides the Lands of Matthew Wyldbore Esquire, now in the Tenure of Johnson, Widow, and the said Dantree Farm to the Bank of the said Widow Johnson, next Whittlesea Meer, and along the same Bank, to Bevill's River Side; and from thence along the South West Side of a Drove-way which divides the Parishes of Water-newton and Whittlesea; and from thence across Upwood Drove and Drain near Plumber's Bridge, to the South West Side of Delph Dike, to the Division Dike which divides Middlemore and Loadsend aforesaid; and then along the Side of the same Dike to the Gateway upon the Bank on the North Side of the River Nene, between the Lands called Plaws and the Corner of the Dutring Dike of a Loadsend Lot of Robert Serjeant aforesaid, containing, by Estimation, Two thousand nine hundred and ninety one Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made, the Fourth District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds called Loadsend and Longbeach, with Beaupre and Winsore Meer, and the Adventurers Lands of Robert Boyden, in the said Township or Parish of Ramsey, containing, by Estimation, Five hundred and forty three Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made, the Fifth District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds called Meerside and Midfetter Lottery, in the said Township or Parish of Ramsey, with Fifty Acres, now belonging to Francis Iberson, and One hundred and Eighty Acres to the said Coulson Fellowes, containing in the Whole, by Estimation, One thousand two hundred and thirteen Acres, or thereabouts, and bounded as follows; that is

to say, Beginning upon Delph Dike, opposite to the Dutring Dike of Francis Iberson's Fifty Acres, next Glassmore, to the Dutring Dike of the One hundred and eighty Acres of the said Coulson Fellowes, next Glassmore, to a Drove called Hunsdrove, and along the same Drove to a Farm of the said Coulson Fellowes, now in the Tenure of Isaac Hanchor; and along the Dutring Dike, which divides the said Farm and Meerside Lottery, to a certain Stile or Heading on the Bank next the River Nene; from thence along the same Bank to another Farm House of the said Coulson Fellowes, in the Tenure of William Brown; and along the same Bank to Bodsey Gravel and Loadsend Bank; and from thence along Delph Dike Drove, opposite to a certain Farm of the said Matthew Wyldbore, in the Tenure of Bartholomew Ibbit, across the Meerside Drove, upon Delph Dike Bank, to the Corner of the Dutring Dike of the Fifty Acres next Glassmore, of the said Francis Iberson, opposite to Delph Dike aforesaid; and all the Lands and Grounds within such Boundaries; which Lands and Grounds may be conveniently, and are therefore herein after made, the Sixth District of the Lands and Grounds hereby intended to be drained and preserved, which are subject to be overflowed, but are capable of being drained, and thereby greatly improved; May it therefore please Your Majesty, that it may be enacted; and be it 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 the said Fen Lands and Low Grounds shall be, and are hereby divided into Six Districts, in such and the same Manner as the same are herein before set forth, bounded and described, and shall be called and known by the Names of the First, Second, Third, Fourth, Fifth, and Sixth Districts, in such Manner as is herein before particularly mentioned. Lands divided into 6 Districts.

And be it further enacted by the Authority aforesaid, That the respective Persons herein after appointed and nominated, and their Successors, to be elected in such Manner as is herein after directed, shall be Commissioners for putting this Act, and all the Powers herein contained, in Execution, within and in relation to the said several Districts; that is to say, That the Lord or Lady for the time being of the respective Manors of Bury and Wistow, or in his or her Absence, an Agent appointed by such Lord or Lady respectively, under his or her Hand, together with Reade Peacock, Robert Boyden, James Edwards, John Dixon, Richard Lovell, William Scotchbrook, Commissioners for the First District;

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Jonathan Nicholls, James Pearson, John Beard, Henry Poulter, Francis Overall, Francis Iberson, John Burges, John Cole, John Poulter, John Campion, William Campion, Barnabas Brighty, Robert Hotchkins, Stephen Goslin, William Goslin, John Waller, Thomas Pyke, and William Wright, shall be the Commissioners for the First District:

Commissioners for the Second District;

That William Chandler, Peter Descow, Francis Overall, Francis Iberson, Robert Boyden, John Beard, William Campion, Francis Wise, David Burges, Abraham Staffourth, Francis Lee, William Austin, and John Burges, shall be the Commissioners for the Second District:

Commissioners for the Third District;

That Francis Overall, Francis Wise, William Chandler, David Burges, Francis Phillips, John Dixon, Thomas Charter, John Poulter, Richard Leach, John Smith, John Burges, Owen Fann senior, and Barnabas Brighty, shall be the Commissioners for the Third District:

Commissioners for the Fourth District;

That the Agent of the Right honourable Henry Earl of Lincoln, and the Heirs or Assigns of the said Earl, being Owners of the Lands which are now possessed by him in the Fourth District, together with Peter Descow, Robert Butcher, Hungerford Keate, Benjamin Letall, Jacob Bailey, Roger Burges, Isaac Bailey, and Matthew Wyldbore, shall be Commissioners for the Fourth District:

Commissioners for the Fifth District;

That John Dixon, Barnabas Brighty, James Poulter, John Middleton of Upwood, Richard Brown, Robert Serjeant, James Peirson, Richard Potts, Henry Hampshire, John Clarkson, and John Middleton of Ramsey, shall be Commissioners for the Fifth District:

Commissioners for the Sixth District.

That Francis Iberson, Isaac Hanchor, Samuel Hawkins, Thomas Selby, Barnabas Brighty, John Serjeant, William Austin, John Dixon, George Keate, and Matthew Wyldbore, shall be the Commissioners for the Sixth District: And that the Lord or Lady of the Manor of Ramsey, or in his or her Absence, an Agent appointed by such Lord or Lady, under his or her Hand, shall be One other Commissioner for each and every of the said Six Districts.

Perpetual Commissioners.

And be it further enacted by the Authority aforesaid, That the Lords or Ladies of the said Manors for the time being, and, in their Absence, the said Agents, and the Agent of the said Earl of Lincoln, his said Heirs or Assigns, shall be at all Times hereafter Commissioners for the respective Districts for which they are herein before appointed: And that the several other Persons nominated Commissioners for the said Districts respectively, shall continue Commissioners until the Friday in Easter Week, One thousand seven hundred and fifty eight, or until other Commissioners shall be chosen in Manner hereafter directed.

And

And be it further enacted by the Authority aforesaid, That the Proprietors of Lands within the said respective Districts, being qualified as is herein after-mentioned, shall assemble in the Parish Church of Ramsey, on the Friday in Easter Week, One thousand seven hundred and fifty eight; and between the Hours of Eleven of the Clock in the Morning, and Two in the Afternoon, elect such Number of Commissioners for the Year ensuing as is herein after respectively mentioned; that is to say, For the First District, Twenty four Commissioners, Thirteen of whom shall be Owners of Land within such District, in the Parish of Ramsey; Six shall be Owners of Land within such District, in the Parish of Bury; and the remaining Five shall be Owners of Land within such District, in the Parish of Wistow: For the Second District, Thirteen Commissioners: For the Third District, Thirteen Commissioners: For the Fourth District, Eight Commissioners: For the Fifth District, Eleven Commissioners; and, for the Sixth District, Ten Commissioners: And the said Proprietors of Lands respectively shall, in like Manner, assemble on the Friday in Easter Week in the next and every other succeeding Year, and elect Commissioners for each District; and the Persons so, from time to time, chosen, and being qualified as is herein after-mentioned, shall act as Commissioners until the Friday in Easter Week in the succeeding Year: And the Elections for each respective District shall be made by the Majority of the Proprietors of Lands within such Districts respectively, who shall be present at such Meetings; and, in case of Equality of Voices, shall be determined by the Votes of the Proprietors present, who are Owners of the largest Share of the Lands in the District for which such Meeting shall be held, and such Election shall be made; and the Names of the Persons elected shall be entered by the Collectors or Receivers for such respective Districts, in Books to be kept for that Purpose: And in case the said Proprietors shall neglect to meet in any One Year, at the Time, and in the Manner, herein before appointed for the Choice of Commissioners for any One or more District or Districts, or, being assembled, shall not make such Election, the Commissioners in the preceding Year for such respective District or Districts shall continue, from time to time, Commissioners for the succeeding Year, and until a new Election shall be made on the Friday in Easter Week as aforesaid. Commissioners to be elected annually.

Provided always, and it is hereby enacted and declared, That from time to time, as often as any Commissioner hereby nominated, or hereafter to be elected in Manner Commissioners dying, &c. others to be chosen.

aforesaid, for the said several Districts respectively, or any of them, shall die, or become disqualified, it shall and may be lawful for the Proprietors of Lands in such Districts respectively, who are qualified as aforesaid, to elect One other Commissioner in the Stead of the Commissioner so dying, or becoming disqualified, from time to time, as often as Occasion shall require; and every Commissioner so elected, shall, from time to time, have the same Authority for executing this Act, as the Commissioner in whose Stead he shall be elected, was invested with.

Provided also, and be it further enacted by the Authority aforesaid, That no Person hereby appointed, or hereafter to be elected, except only such Lords or Ladies of such Manors, or such Agents as aforesaid, shall be enabled to meet, sit, or act, as a Commissioner for any of the said Districts, nor shall any Proprietor of Lands be intitled to vote at any Election of a Commissioner or Commissioners, unless such Person so appointed or to be elected a Commissioner, and such Proprietor respectively, shall be qualified as is herein after mentioned; that is to say, For the First District, unless he shall be seised in Fee, or for Life, of One Six Acre Hollow Lot, or of One Five Acre Hollow Lot, or of One Bury Fen Lot, or of One Wistow Fen Lot, or of Twenty Acres of Adventurers or other Lands, within such District; nor for the Second District, unless he shall be seised in Fee, or for Life, of One Stocking Fen Lot within such District; nor for the Third District, unless he shall be seised in Fee, or for Life, of One Bill Lot within such District; nor for the Fourth District, unless he shall be seised in Fee, or for Life, of Sirty Acres of Adventurers Lands within such District, or of Twenty Acres within the Gore lying within the same District; nor for the Fifth District, unless he shall be seised in Fee, or for Life, of One Loadsend Lot, or of One Longbeach Lot, within such District; nor for the Sixth District, unless he shall be seised in Fee, or for Life, of One Weerside Lot, or One Widsetter Lot, or of Fifty Acres of other Land within such District; and in case there shall not be in any One District such a Number of Persons, qualified to be Commissioners as is herein before authorized to be elected for such District, then and in such Case, any less Number of Persons, so qualified, may be elected; but the Number to be elected shall never exceed the respective Numbers herein before-mentioned; and if any Person or Persons not being so qualified, shall presume to vote for, or act as a Commissioner in the Execution of this Act, every

Qualification of Commissioners.

Penalty on Persons acting, if not qualified.

every such Person shall for every such Offence forfeit the Sum of Fifty Pounds, to be recovered by Action of Debt, or on the Case, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence, on the Part of the Prosecutor, than that such Person has acted as a Commissioner in the Execution of this Act; One Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures are herein after directed to be applied.

Meetings of Commissioners.

And be it further enacted by the Authority aforesaid, That the respective Commissioners for each of the said Districts shall twice in every Year, to wit, On the Tuesday next after Trinity Sunday, and the Tuesday next after Martinmas Day, and at such other Times as they shall think proper, meet at some convenient Place or Places in Ramsey aforesaid, to be appointed by such respective Commissioners for that Purpose: And the First Meeting for each of the said Districts shall be held at the House known by the Sign of the George, in the said Town of Ramsey, on the Tuesday next after Trinity Sunday, in the Year One thousand seven hundred and fifty seven: And the Commissioners so respectively assembled, shall proceed to the Execution of this Act; and shall then, and, from time to time, afterwards, adjourn themselves, to meet at such other Time and Times, and Place or Places, in the said Town of Ramsey, as they shall think fit: And the Commissioners for the said respective Districts shall also meet at any other Time and Times in the said Town of Ramsey, as often as shall be necessary, and be required by any Three or more of the Commissioners for such Districts: But Three Days Notice, at the least, shall be first given in the Parish Church of Ramsey, on the Lord's Day in the Forenoon, immediately after Divine Service; and a Copy of such Notice affixed on the West Door of the said Church, of every such Meeting which shall not be held by Adjournment, or on the Days appointed by this Act: And that all Meetings in pursuance of this Act shall be held in the Town of Ramsey, and at no other Place; and no more than the Sum of One Shilling shall be expended, at any One Meeting of the Commissioners for the said respective Districts, out of the Monies to arise by virtue of this Act.

Commissioners to make and maintain Works.

And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts shall be, and are hereby, fully impowered, at their Wills and Pleasures, from time to time, to make, support, alter, and maintain, or cause to be made, supported, altered, and maintained, such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps, and Outlets, in, through, and upon, the said Fen Lands and Low Grounds in such respective Districts; and to make, erect, remove, alter, repair, and maintain, such Works and Engines thereupon; and if any Works or Engines are already made or erected in such Districts, to remove, alter, repair, or continue the same, in such Manner as they the said respective Commissioners shall, from time to time, think necessary or convenient for draining and preserving the said Lands and Grounds; and also to make such Orders, and give such Directions, for carrying on, and for the better and more orderly Government of the said Works, and for executing the Purposes of this Act, as they the said respective Commissioners shall think proper.

Waters passing from High Lands, &c. in First and Second Districts, not to be excluded from the proper Outlets, &c.

Provided always, and be it hereby further enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to give the Commissioners for putting this Act in Execution, or any of them, any Right, Power, or Authority, to exclude the Waters passing from the Lands that shall be adjudged High Lands, within the First and Second Districts, or other High Lands adjoining thereto, by any Banks, Dams, or other Works to be made, from the proper Runs and Outlets for the Waters draining from off the said Lands; any thing in this Act to the contrary thereof notwithstanding.

Satisfaction to be made.

Provided also, That if any such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps, Outlets, Works, or Engines, shall be made and erected in, through, or upon, any several Lands in the said respective Districts, or if any Land shall be cut, and Earth taken therefrom, for the Purpose of imbanking, or any other of the Purposes of this Act, such reasonable Satisfaction shall be made to the Owner or Owners of such Lands, for the Damages he, she, or they, shall thereby sustain, as shall be agreed upon between such respective Commissioners and such Owner or Owners; and in case of Difference concerning the same, such Difference shall be determined and settled in such and the same Manner as Disputes, whether Lands shall or shall not be deemed High Lands, are herein after directed to be determined and settled.

In case of Difference, Damages to be settled at the Quarter Session.

Provided also, That no private Mill shall, by the Order or Direction of the Commissioners for any of the said respective Districts, be taken down, removed, or altered, or be employed for the Purposes of this Act, until such Recompence and Satisfaction shall be made to the Owner or Owners of every such Mill so to be taken down, altered, or employed, as shall be agreed upon between such respective Commissioners and Owner or Owners, and not otherwise; which Recompence or Satisfaction such respective Commissioners shall cause to be paid to such Owner or Owners out of the Monies to be raised by virtue of this Act within, or in relation to, such respective District; any thing herein before contained to the contrary notwithstanding.

If any private Mill is taken down, Commissioners to make Satisfaction to the Owner.

And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts shall be and are hereby impowered, from time to time, to appoint such Collector or Collectors, Receiver or Receivers, and such other Officer or Officers for executing or taking care of such Works, and for collecting the Taxes or Assessments which shall be rated or assessed in each of the said Districts; and to allow them such Wages or Salaries for their Trouble and Pains therein, as they the said respective Commissioners shall think reasonable: and such Collectors or Receivers shall, before they act in the Execution of their respective Offices, if the same shall be required by any One or more of the Commissioners for the respective District, give such Security for the due Execution of their several Offices, and for performing the Trusts to them committed, as the said respective Commissioners shall think fit.

Commissioners may appoint Officers, and allow them Salaries.

Officers to give Security.

Provided always, That no Person whatever shall act as a Commissioner during the Time he shall hold any Office of Profit in, or relating to, the Execution of this Act.

Commissioners not to hold a Place of Profit

And be it further enacted by the Authority aforesaid, That it shall be lawful for the Commissioners for the said respective Districts, assembled at their First and at any general Half-yearly Meeting or Meetings, to assess, rate, and tax, all and every the Owner and Owners, Occupier and Occupiers, of all and singular the Fen Lands and Low Grounds in such respective Districts, by an equal and proportionable Acre Rate or Tax, not exceeding in any One Year the respective Sums following; that is to say, Not exceeding One Shilling for every Acre in the First and Fourth Districts; not exceeding Three Shillings for every Acre in the Second District; not exceeding Five Shillings for every Acre in the Third

The Acre Tax for the respective Districts.

District; not exceeding Two Shillings for every Acre in the Fifth and Sixth Districts; and to appoint, under their Hands, such certain Days and Places for the Payment of such Taxes to the respective Collectors or Receivers, as they the said Commissioners shall think proper.

Ramsey Hern, &c. exempt from all Taxes.

Provided always, That Ramsey Hern, and all other Commons within the several Districts, be exempt from all Taxes to be assessed by virtue of this Act.

Taxes to be levied by Distress and Sale.

And be it further enacted by the Authority aforesaid, That if any Person or Persons so rated or assessed as aforesaid, shall refuse or neglect to pay the Tax or Assessment charged upon him, her, or them, respectively, within the Space of Twenty one Days after the respective Times of Payment to be appointed as aforesaid, publick Notice thereof being affixed upon the West Door of the Parish Church of Ramsey, on Demand made by the respective Collector or Collectors, Receiver or Receivers, or by any other Person or Persons authorized by him or them respectively, for that Purpose; it shall be lawful for such Collector or Collectors, Receiver or Receivers, or such other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of Two or more of the Commissioners for the respective District (which Warrant or Precept such Commissioners, or any Two or more of them, are hereby impowered and required, from time to time, to make, as Occasion shall require) to levy the Sum or Sums so rated or assessed, and all the Arrears thereof, by Distress of the Hay, Corn, or other Goods and Chattles, which shall be found upon all or any the Grounds and Premisses, for or in respect whereof such Taxes or Assessments shall be due; and such Corn, Hay, and other Goods and Chattles, to keep for the Space of Five Days, at the Charge of the Owner or Owners thereof; and if such Owner or Owners shall not within the said Space of Five Days, pay the Sum or Sums so rated or assessed, the Goods and Chattles so distrained shall be appraised by Two or more Inhabitants of the Parish or Place where the same shall be taken, or other sufficient Persons, and shall be sold by the Person or Persons making such Distress; and the Overplus remaining, after the Rates or Assessments, and the reasonable Charges of making, detaining, and selling such Distress, are satisfied, shall be returned to such Owner or Owners, upon Demand; And the Tenant and Tenants of all and singular the said Lands and Grounds which shall be assessed or rated by virtue of this Act, is and

Tenants may pay Taxes, and deduct them from their Rent;

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are hereby required and authorized to pay the Sum and Sums ſo aſſeſſed or rated, and to deduct the ſame out of his, her, and their Rent; and every Tenant who ſhall make ſuch Payment, ſhall be acquitted and diſcharged for ſo much Money as ſuch Tax or Aſſeſſment ſhall amount unto, as if the ſame had been actually paid to the Perſon or Perſons intitled to the Rent of ſuch Lands and Grounds, except only where there is a Leaſe for Three or more Years to come from the paſſing of this Act; in which Caſe, the Proportion of the Tax or Aſſeſſment which the Tenant ought to bear and pay in Conſideration of the Benefit he or ſhe receives by ſuch Leaſe, ſhall be adjuſted and awarded by the Commiſſioners for the Diſtrict wherein the Lands and Grounds ſo leaſed ſhall be ſituate.

except where there is a Leaſe of 3 Years to come.

Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That in caſe any of the ſaid Lands or Grounds ſhall at any Time hereafter be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be found whereon to levy the ſaid Taxes or Aſſeſſments, then the Lands and Grounds charged with ſuch Taxes or Aſſeſſments ſhall always remain a Security for Payment thereof; and all Corn, Hay, and other Goods and Chatties, which ſhall at any Time thereafter be found thereon, ſhall and may be diſtrained, kept, appraiſed, and ſold, in Manner aforeſaid, until all Arrears of ſuch Taxes or Aſſeſſments, and the Charges of ſuch Diſtreſs, and detaining, keeping, and ſelling the ſame, ſhall be fully paid and ſatisfied.

Grounds unoccupied to remain a Security for the Taxes.

Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That the Quantities of ſuch of the Lands ſo to be rated and taxed as aforeſaid, within the ſaid reſpective Diſtricts, as have not been heretofore divided by Lot to the ſeveral Proprietors, ſhall, on or before the Twenty ninth Day of September, One thouſand ſeven hundred and fifty ſeven, be given in to the Receivers or Collectors for ſuch reſpective Diſtricts, by the Owners, Proprietors, or Occupiers, of ſuch Lands; and if any of the Owners, Proprietors, or Occupiers of Land within any ſuch Diſtrict or Diſtricts, ſhall neglect or refuſe to give in to any ſuch reſpective Receivers or Collectors a particular Account of the Number of Acres contained in their ſeveral Lands; or in caſe there ſhall be reaſon to ſuſpect the Number of Acres is not truly ſtated in any ſuch Account, it ſhall be lawful for the Commiſſioners for the Diſtrict wherein ſuch Lands are ſituate, to order a Survey to be made of any of the ſaid Lands by an able Surveyor, not being a Proprietor of any Lands

The Quantity of rateable Lands to be given in by the Owners.

in the District, upon Oath; which Oath any Two of the Commissioners of the respective Districts are hereby impowered to administer; and the Survey, which shall be so made, shall be a sufficient Warrant and Authority to the said Commissioners to ascertain and determine the Quantities of such Lands; and the Charge of surveying the Lands of such Person or Persons as shall neglect or refuse to give in such Account, or delivering in a false Account, shall be paid by such Person or Persons respectively; and in case of Nonpayment thereof, shall be recovered in such Manner as the Penalties are herein after directed to be recovered; and in case it shall appear upon any such Survey, that the Number of Acres was truly stated in any such Account, the Charge of such Survey shall be defrayed out of the Monies arising by virtue of this Act within the respective District wherein the Survey shall be so made; and that the Quantities of such of the Lands, commonly called Lottery Lands, within the said respective Districts, as were heretofore divided by Lot to the several Proprietors of commonable Houses, shall be rated and taken by the said respective Commissioners, according to the usual estimated Quantity of such Lands respectively.

Highlands not to be charged.

Provided always, That no Tax or Assessment shall be rated, charged, or levied, for or in respect of, any Lands being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of Highlands, and have not been damaged by Inundations;

Manner of determining which are *Highlands*.

and if any Dispute shall arise, whether any such Lands shall or shall not be deemed Highlands, the same shall be determined, upon View, on or before the First Day of September, One thousand seven hundred and fifty seven, by any Four Commissioners appointed by or elected in pursuance of this Act, not having any Property in the District where such Lands shall lie; Two of which said Four Commissioners shall be nominated by the Commissioners for the District wherein such Dispute shall arise, and the other Two Commissioners by the Proprietor or Proprietors of the Lands in Dispute; and such Four Commissioners shall, before they proceed to determine such Dispute, choose one other Commissioner, not having Property in such District, as an Umpire to determine such Dispute, in case such Four Commissioners should be equally divided in their Opinions; and all such Commissioners, before they proceed to determine such Dispute, shall take an Oath well and truly, to the best of their Judgement and Knowledge, to determine whether such Lands shall, or shall not, be deemed Highlands (which Oath any One or more of the Commissioners are hereby impowered to

administer) and such Commissioners shall set forth their Determination in Two distinct Writings, and shall sign the same; One of which Writings shall be delivered to the Owner or Owners of such Lands, and the other of such Writings shall be deposited and kept in the said Parish Church of Ramsey.

Mr. *Wyldbore's* Lands not to be taxed while the Banks are supported.

Provided always, and be it enacted, That no Assessment or Tax shall be made, collected, or levied, for or in respect of One hundred and Eight Acres of Adventurers Lands belonging to the said Matthew Wyldbore, now in the Occupation of Bartholomew Ibbet, within the said Sixth District, for so long Time only as the Owner or Owners, Occupier or Occupiers, of those Lands, shall keep and maintain the Banks, now kept and maintained by him the said Matthew Wyldbore, of a sufficient Height and Strength to keep the Waters (except those Waters shall overflow by a Breach of the Corporation Banks) draining from the Lands which are defended by the said Banks, from flowing into the said District.

Taxes may be assigned for Money borrowed.

And it is hereby further enacted, That it shall be lawful for the Commissioners for the said respective Districts to borrow, take up, and receive any Sum or Sums of Money that they shall think proper; and by Writing under their Hands and Seals, to mortgage, charge, assign, and convey, or incumber the Taxes or Assessments, so to be assessed and levied within such respective Districts, with and for the Repayment of the Sums so borrowed, with such Interest, at such Times, and with such Provisoes and Conditions of Redemption as shall be agreed on, so as the Interest for such Monies do not exceed the Rate of Five Pounds per Centum per Annum.

Mortgages may be assigned:

And it is hereby further enacted, That the said Mortgages and Mortgage-monies shall and may be assignable, or transferrable, by Indorsement on the original Grant or Security thereof, or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made, shall, from and after the Time that the same is entered in a Book or Books, to be kept for that Purpose for each respective District, be well and sufficiently intitled to such Mortgage-monies and Interest, and all the Monies due and to grow due thereon; which Entry is hereby required to be made upon Request, and producing such Assignment, and paying Two Shillings and Six Pence for every such Entry.

And Assignments transferred.

And it is hereby further enacted, That such Assignee or Assignees, and every After-assignee and Assignees shall and may, in like Manner, by Indorsement, or otherwise,

without Stamp, assign and make over such Mortgage or Mortgages, and Mortgage-monies, so assigned as aforesaid; and so toties quoties as Occasion shall require, every such Assignment being entered in such Book, as aforesaid.

The Sums to be borrowed in each respective District.

Provided always, and be it further enacted by the Authority aforesaid, That no more than the respective Sums following shall be borrowed or owing at any One Time upon the Credit or Security of the Taxes or Assessments in the said respective Districts; that is to say, In the First District, Seven hundred and fifty Pounds; in the Second District, Two hundred Pounds; in the Third District, Three hundred Pounds; in the Fourth District, Six hundred Pounds; in the Fifth District, Three hundred Pounds; and in the Sixth District, Two hundred Pounds: And that the Taxes or Assessments in each respective District, shall not, during the Time any Principal or Interest-monies shall be due on the Security thereof, be less than the respective Sums herein before authorized to be rated, charged, and assessed, on such Districts; and that when no Principal or Interest-monies shall be due or owing, such Taxes or Assessments shall not exceed, in any One Year, the respective Sums following; that is to say, In the First and Fourth Districts, Eight Pence for every Acre; in the Second and Third Districts, Two Shillings for every Acre; and in the Fifth and Sixth Districts, One Shilling for every Acre.

Taxes to be Security for Monies borrowed.

Provided always, and it is further enacted and declared, That the Taxes or Assessments within the said respective Districts, shall be charged and chargeable with the Payment of the principal Money so to be borrowed by the Commissioners for such Districts respectively, and the Interest of such Money, from time to time; and shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators, and Assigns, respectively, shall have the same Powers, Rights, and Privileges, of assessing, raising, and recovering, the several Taxes or Assessments payable by the several Owners and Occupiers of Lands and Grounds within such Districts respectively, for and in Respect of such Principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners, and their Collectors could have had, in case such Principal and Interest had been regularly and fully satisfied and paid.

And

And it is hereby further enacted, That all the Taxes or Assessments which shall be rated, charged, and raised by virtue of this Act, in each of the said Districts, and the Monies borrowed on the Credit of such Taxes or Assessments respectively, shall be applied and expended in defraying such Proportions of the Expences of obtaining this Act, as is herein after-mentioned, and in making, performing, erecting, providing, and maintaining the Works for draining, imbanking, and preserving the Lands in each District respectively, and in executing and performing such other Works as by this Act are directed or authorized to be done and performed by the respective Commissioners for such Districts, and in defraying the other necessary Expences of executing this Act, and in Discharge of the Principal and Interest of the Monies borrowed in relation to, and upon account of, every such District respectively; and to no other Use or Purpose whatsoever. Application of the Monies.

And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining this Act shall be, in the First Place, fully paid and satisfied out of the Taxes or Assessments to be raised within the said respective Districts, or the Monies to be borrowed on the Credit thereof, in equal Parts and Proportions; that is to say, One Sixth Part of all such Charges and Expences shall be paid out of the Taxes or Assessments, or Monies borrowed on the Credit thereof, in each of the said Six Districts. Charges of the Act to be paid in equal Parts by each District.

And be it further enacted by the Authority aforesaid, That Once in every Year, to wit, On the First Monday in July, for the First District; on the First Tuesday in July, for the Second District; on the First Wednesday in July, for the Third District; on the First Thursday in July, for the Fourth District; on the First Friday in July, for the Fifth District; and on the First Saturday in July, for the Sixth District; the Commissioners for the said respective Districts shall assemble; and the Commissioners so respectively assembled, shall, together with such Proprietors of Lands in the said Districts as shall then attend, inspect the Receipt and Expenditure of the Monies which shall have been raised by virtue of this Act, within or in relation to such respective Districts, for the Space of One whole Year then last past; and all Accounts relating to the same shall be then made up and settled by the said Commissioners and Proprietors, or the major Part of them, so assembled; and at such respective Meetings, the several Collectors or Receivers of the Taxes or Assess- Annual Meetings for passing Accounts.

ments in each of the said Districts, are hereby required to attend with the Books of Accounts of their Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination of such Accounts, and of all other Accounts of the Receipt and Expenditure of the Monies raised and received by virtue of this Act, within or in relation to such respective Districts (and upon Oath, if the same shall be required by such Commissioners or Proprietors, or any One or more of them, (which Oath any One of such Commissioners is hereby impowereed to administer) the said Commissioners and Proprietors, or the major Part of them, so assembled, are hereby impowered to allow and pass under their Hands the said Accounts, or such Part or Parts of the same, as shall appear to them to be just and reasonable; and such Account or Accounts, or such Part or Parts thereof, shall be fairly entered in Two distinct and separate Books, to be kept for each District for that Purpose; whereof One Set shall be kept by the Treasurer or Treasurers, or such other Person or Persons for each District respectively, as the said respective Commissioners shall appoint, and the other Set thereof shall be deposited in the Vestry Room of the Parish Church of Ramsey; and the last-mentioned Set of Books shall and may be inspected and perused at any Time, at seasonable Hours, by or at the Request of any Person or Persons rated or tared, in pursuance of this Act, within such respective District, without Fee or Reward; and in case of any Disagreement between the said Commissioners and Land-owners of the said respective Districts, so that a Plurality of Voices cannot be obtained for the passing of such Account or Accounts, or any Part or Parts thereof, that then such Account or Accounts, and the Matters in Difference relating thereto, shall be heard and determined by any Two of His Majesty's Justices of the Peace for the said Isle of Ely, or County of Huntingdon, respectively, who are hereby impowered and required to examine such Collectors or Receivers upon Oath, if necessary, and to hear and finally determine the Matters in Difference; and such of the said Accounts as shall be so passed and allowed by the said Two Justices, shall be entered and registered, and inspected and perused, in such Manner and Form as aforesaid.

Officers to account on Oath.

Certain Owners may erect Stanches.

Provided always, and be it further enacted by the Authority aforesaid, That this Act shall not extend to restrain the Owners of Lands in the said Second District, or in Bury Fen, from erecting Stanches on their respective

respective Lands, so as that no such Stanch or Stanches be erected in Wistow Fen Drain, or Ash Drain.

A Mill or Mills to be placed at the Opening of *Ash Drain* into *Forty Foot* River.

And be it further enacted by the Authority aforesaid, That the Commissioners for the First District shall, and they are hereby required to erect and place a Mill on the Forty Foot River, between Dawson's Mill and Puddock's Drove; and they are hereby required to erect and place Two Mills at or near the Opening of the Drain called Ash Drain into the Forty Foot River, whether such Opening shall remain where it now is, or be made into any other Part of the said Forty Foot River, or shall be sufficient for throwing out and discharging the Waters from such Drain into the said Forty Foot River, and from time to time, and at all Times hereafter, to support and maintain such Mills at such respective Opening aforesaid; and to cause the same to be worked in such Manner, and as often as shall be necessary for discharging the Waters out of the said Drain, and for preventing the Overflowing of the adjacent Lands; and the said Commissioners, with the Consent or Allowance of the Corporation of Bedford Level, shall from time to time raise, strengthen, and support, and keep imbanked, the Banks on both Sides the said Ash Drain, from the Forty Foot River to Wistow Fen Drain; and also the Banks on both Sides any new Cut which shall be made from the said Ash Drain, near the present or any future Opening of the said Ash Drain into the Forty Foot River; and also the Bank on the Lands of Barnabas Brighty, from the East Bank of Ash Drain next Wistow Fen, to Puddock's Drove; and also the Bank on the Hollowhead Lots, from the West Bank of the said Ash Drain next Wistow and Bury Fen to a Highland Close of John Beard, called A Hollowhead Lot; and shall scour out and maintain the said Ash Drain Fourteen Feet wide at the Top, Ten Feet at the Bottom, and not less than Five Feet deep, from the Surface of the adjacent Lands; and Wistow Fen Drain, Twelve Feet wide at Top, Nine Feet at Bottom, and not less than Four Feet deep from the Surface of the adjacent Lands; and also shall scour out and maintain the Drain which divides the Parishes of Ramsey and Bury, and the Drain called Bury Fen Drain, from the Lands called Willow-row, by the Adventurers Land of Jonathan Nicholls, through Bury Fen, to the Drain which divides the said Parishes of Ramsey and Bury, Ten Feet wide at Top, Eight Feet at the Bottom, and not less than Four Feet deep from the Surface of the adjacent Lands; and that Four Tunnels be fixed in the most convenient Places, to be appointed by

Ash Drain and *Wistow Fen Drain* to be kept open with Consent of the Corporation of *Bedford Level*.

the Commissioners of Bury, at the general Expence of the First District.

Northey Bank may be repaired.

And be it further enacted by the Authority aforesaid, That if the Bank, called Northey Bank, shall not, at any Time hereafter, be effectually repaired and maintained by the Corporation of the Great Level of the Fens, called Bedford Level, it shall be lawful for the Commissioners for the said First District, with the Consent of the said Corporation, from time to time, to heighten, strengthen, and support, the said Bank, in such Manner as they shall think proper; and to defray the Expence thereof out of the Tares arising within such District.

Ramsey Hern to be imbanked.

And be it further enacted by the Authority aforesaid, That the Commissioners for the Fourth District shall be, and are hereby impowered to imbank the said Common called Ramsey Hern, in such Manner as they shall think proper, so as such Bank be made within the Space of Four Poles from the said River Nene, and the Dutring Dike next Draper's Delph

Commissioners may build a Bridge.

And be it further enacted by the Authority aforesaid, That the Commissioners for the Third District shall and are hereby impowered to erect and build a Bridge over the Bill River where the old Bridge lately stood, and, from time to time, to repair, maintain, and support, such Bridge, in such Manner as the said Commissioners shall think necessary.

Outring and Division Dikes to be kept open by the Proprietors.

And it is hereby further enacted by the Authority aforesaid, That all Owners and Occupiers of Lands lying and being within the said Districts, shall from time to time, and at all Times hereafter, keep, or cause to be kept, all the Outring or Division Dikes or Drains belonging to them respectively, except such as are herein before directed to be done by the Commissioners, of a sufficient Depth, and of the Breadth or Wideness of Eight Feet at the least; and shall also from time to time, and all Times hereafter, cause the same Drains or Dikes to be well and effectually roaded, scoured, and cleansed from Weeds, and other Rubbish and Obstructions; and cause Tunnels to be laid therein, where necessary, for the better issuing, running, and conveying away the Waters therein: And if any such Owner or Occupier shall not, within Fourteen Days (except at the Times of Hay and Corn Harvest) next after Notice and Direction in that Behalf, in Writing under the Hands of Two or more of the Commissioners for the District where such Lands lie respectively, shall be given to him or her, or left at the usual Place of Abode of the Occupier of such Lands, or affixed on Ramsey Bridge (in

case such Place of Abode be above the Distance of Seven Miles from such Lands, or shall not be known) cause and procure such Drains or Dikes to be roaded, scoured, cleansed, deepened, and widened, respectively; and such Tunnels to be laid in pursuance of, and according to, such Notice and Direction; the Commissioners for such respective District wherein such Work is directed to be done as aforesaid, or any Two or more of them, shall and may, and they are hereby authorized and required to cause the same to be done in a proper and effectual Manner; and, by Warrant or Precept under their Hands and Seals, or the Hands and Seals of any Two or more of them, to authorize and impower their Collector or Collectors, Receiver or Receivers, or any other Person or Persons, to levy and raise the Charge and Expence of doing thereof by Distress and Sale of such Goods and Chattles as shall at any Time thereafter be found on the Lands to which such Drains or Dikes, Bridges or Tunnels, shall appertain or belong; rendering the Overplus, if any, to the Owner or Owners thereof; and every such Owner or Occupier, for every such Neglect, shall forfeit the Sum of Three Pence for every Rod of the Drain or Dike so neglected to be depthened, widened, roaded, scoured, or cleansed.

No Cut to be made in whole Lands.

Provided always, and it is hereby enacted by the Authority aforesaid, That no Mill Drains for conveying the Water to any Mill shall be cut in the whole Lands of any Person or Persons within the said Fen Lands or Low Grounds, except in such Parts thereof as are Adventurers Land, or other Grounds, which contain Ten Acres and upwards; nor shall any such Cut or Drain be made in Bury Fen, but that the Water shall be issued and conveyed through the Outring or Division Ditches only.

Exception.

Penalty on making Sock-dikes, &c.

And it is hereby further enacted, That if any Person or Persons shall make any Sock-dike or Sock-gripple, on any of the said Fen Lands and Low Grounds, within the Distance of Ten Feet, in the First, Second, Third, Fifth, or Sixth Districts, or within Sixty six Feet in the Fourth District, from any of the Banks which now are, or hereafter shall or may be made for keeping off the Waters from any of the said Fen Lands and Low Grounds, or more than One Foot deep in any of the said Districts, every such Person so offending shall forfeit and pay the Sum of Three Pence for every Foot in Length of such Sock-dikes or Sock-gripples, for every Month during which the same shall be continued.

And be it further enacted by the Authority aforesaid, That all the Mills which shall be erected or employed by virtue

All Mills to discharge the Water either into *Bevill's* River, River *Nene*, or *Whittlesea Meer*.

virtue of this Act, for discharging the Waters from the Fourth District, shall be erected and placed in such Manner as to discharge such Waters directly into Bevill's River, the River Nene, Whittlesea Meer, or Upwood Drain, from the Gore Mill to Bevill's River, and not otherwise; any thing herein before contained to the contrary notwithstanding.

Certain Works to be drained separately.

Provided always, and be it further enacted by the Authority aforesaid, That no Communication shall be made between the Waters draining from the Lands in Middlemore and the Steads, and the Waters draining from the Lands called the Gore Farms, the Lands belonging to the Earl of Lincoln, Edward Knipe, and Matthew Wyldbore, Esquires; but that the said Waters draining from Middlemore and the Steads shall be separately and distinctly drained from the Waters draining from the Lands called the Gore Farms, the Lands belonging to the Earl of Lincoln, Edward Knipe, and Matthew Wyldbore, Esquires.

Delph Dike to remain dammed up.

Provided always, That a certain Dike, called Delph Dike, shall be and remain, for ever hereafter, dammed up as it now is; and the Commissioners for the Fourth District shall, from time to time, make and maintain such Banks as shall be necessary for keeping the same so dammed up; and if any Person or Persons shall make, or cause to be made, any Opening or Openings in the said Dike, whereby any of the Lands within the Fourth District shall be prejudiced, every such Person shall, for every such Offence, forfeit the Sum of Five Pounds, and shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; which Compensation and Satisfaction shall be recovered, together with Full Costs of Suit, in such Manner as is herein after prescribed for Recovery of Damages sustained by the Working of any Horse Mill or other Device.

Lands which shall not be cut.

Provided always, That no Part of the several Lands in the Bill, Stocking Fen, Long Beech, Beaupre, Winsore Meer, Midfetter, Mereside, or Loadsend, shall be cut for the Purposes of Banking, at any Time whatsoever; nor shall the Lands in the First District be cut for the Purposes of making or repairing any Banks along the Forty Foot River.

No Trees to be planted within 20 Poles of any Mill.

Provided always, and be it further enacted by the Authority aforesaid, That from and after the Twenty ninth Day of September, One thousand seven hundred and fifty seven, no Trees or Holts shall be planted nearer to any Mill which shall be erected or employed for the Purposes of this

this Act than Twenty Poles; and if any Person or Persons shall plant any Tree or Holt within the Space aforesaid, every such Person shall forfeit the Sum of One Shilling for every Tree, and Five Pounds for every Holt, so planted; and such Trees and Holts shall and may be taken up, and carried away, by such Person or Persons as shall be authorized for that Purpose by the Commissioners for the District wherein such Offence shall be committed; and it shall be lawful for such Person or Persons as shall be authorized for that Purpose by the respective Commissioners, to cut down any Trees or Holts, which shall be growing within the Distance of Twenty Poles from any Mill erected or employed for the Purposes of this Act, at the Time such Mill shall be so erected or first used; making such Satisfaction to the Owner of such Trees or Holts as shall be agreed upon between such Owner and the Commissioners for the respective District; or, in case of Difference, as shall be ascertained by the Justices of the Peace at any Quarter Session which shall be held for the County or Place wherein such Trees or Holts were so cut down, within Six Months after the Cutting down thereof.

Persons discharging Water by any Engine, except into the River *Nene*, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall erect, set up, use, or work, any Horse-mill, Gigg, or other Engine or Device whatsoever, for draining or discharging Water from any Lands in any of the said Districts, through or upon the Lands of any other Person or Persons within such Districts, or in any other Manner than directly and immediately from the Lands of the respective Owner of such Mill, Gigg, Engine, or Device, into the River Nene, Whittlesea Meer, Bevill's Leam, Ramsey High Load, the Bill Load, the Forty Foot River, or the new Cut or River on the North Side of Ramsey Meer; or that Part of Upwood Drain where the Gore Mill now stands; every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to any Person who will sue for the same; and the Owner of such Mill, Gigg, Engine, or Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; and such Penalty, Compensation, and Satisfaction, shall be recovered, together with Full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster; in which no Essoin, Protection,

shall forfeit 50 *l.*

tion, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed.

No private Bank, &c. to be altered till new Ones are made.

Provided always, and be it further enacted by the Authority aforesaid, That no Banks, Dams, or other Works, which were lawfully erected by private Persons in any of the said Districts, shall be cut, taken away, or altered, until the several Mills in their respective Districts are ready to work.

Allowance to be made from the 4th. to the 5th District.

And whereas the making and maintaining the Outring Banks in the said Fifth District, will be of Utility to the Lands in the said Fourth District; be it therefore enacted by the Authority aforesaid, That the Commissioners for the said Fourth District, shall, and they are hereby required to pay, or cause to be paid, to the Commissioners for the said Fifth District, or to such Person or Persons as they shall appoint, the Sum of Twenty Shillings in every Year, for and in Consideration of their making and maintaining the said Banks; the First of which Payments shall be made on or before the Twenty fourth Day of June, One thousand seven hundred and fifty eight; and such Payments shall continue to be made on or before such Day in every succeeding Year.

Persons damaging the Works,

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, at any Time or Times hereafter, shall wilfully or maliciously cut, or otherwise damage, any of the Banks, Works, Mills, or Engines, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported or maintained, for answering any of the Purposes of this Act, or by any Means obstruct, divert, or lay open, any of the Banks, Cuts, Drains, Dams, Outlets, or other Works made, or which shall at any Time hereafter be making or made, supported or maintained, for draining or improving the said Fen Lands or Low Grounds in pursuance of this Act, and shall be convicted thereof, upon Oath, before any Two or more Justices of the Peace for the County or Place wherein the Offence shall be committed, or the Offender shall reside; every such Person or Persons shall forfeit for every such Offence, the Sum of One hundred Pounds, to be levied by Distress and Sale of the Goods and Chattles of such Offender or Offenders, by Warrant under the Hands and Seals of any Two of the Justices before whom such Conviction shall be made, to be applied and laid out in carrying on the Works, and executing the Purposes of this Act, within the respective District, wherein or in relation whereunto, the Offence shall be committed; and

to forfeit 100 *l.*

for want of sufficient Distress, such Offender or Offenders shall by the said Justices, be committed the Common Gaol of such County or Place, there to remain for any Time not exceeding Twelve Calendar Months, without Bail or Mainprize, at the Discretion of the said Justices; and shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; which Compensation and Satisfaction shall be recovered, together with Full Costs of Suit, in such Manner as is herein before prescribed for the Recovery of Damages sustained by the Working of any Horse Mill, or other Device: And if any Person or Persons shall wilfully and maliciously set fire to, burn, or otherwise destroy, any of the said Mills or Engines already made or erected, or which shall be making or erecting, or made or erected, supported, or maintained, for answering any of the Purposes of this Act, and be thereof lawfully convicted, such Person or Persons shall be adjudged guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in any other Cases of Felony; and the Court by or before whom such Person or Persons shall be tried, shall, and have hereby Power and Authority to transport respectively such Felons for Seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm.

and for want of Distress, to be committed.

Persons destroying Mills, &c.

to suffer as Felons.

And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts shall cause each and every Mill and Mills, which shall be erected or employed by virtue of this Act, to be insured against Fire at some publick Office or Offices; and from time to time to pay the Expence attending such Insurances out of the Monies arising by virtue of this Act, in or upon account of such respective Districts.

Mills to be insured.

And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts may, and are hereby impowered, out of the Monies arising in or upon account of such Districts respectively, to make such Allowances for the catching or destroying of Moles in the Banks or Lands belonging to such Districts, as they the said respective Commissioners shall think proper.

Allowances for catching Moles.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That all Orders and Proceedings of the Commissioners for the said respective Districts shall be entered in a Book or Books to be kept for that Purpose; and such Orders, so entered, shall be signed by Three or more of such respective Commissioners,

Proceedings to be entered in Books;

ers assembled at such Meetings; and such Orders so signed, shall be deemed and taken to be Originals; which said respective Books, and also the Books hereby directed to be kept for registering the Securities, Assignments, and Transfers aforesaid, shall and may be produced and read in Evidence in all Cases of Suits or Actions touching any thing done in pursuance, and by the Authority of this Act.

Books may be produced and read in Evidence in Cases of Appeals.

Quorum of Commissioners for the several Districts.

And be it further enacted by the Authority aforesaid, That all the Powers and Authorities herein before contained for assigning the Tares or Assessments for Money borrowed in the First District, shall and may be executed by any Nine or more of the Commissioners for such District; and in the Second and Third Districts, shall and may be executed by any Seven or more of the Commissioners for such respective Districts; and that all other Powers and Authorities by this Act granted to the Commissioners respectively for such Districts, shall and may, in all Cases where no particular Quorum or Number is appointed by this Act, be executed by any Five or more of such respective Commissioners, in all Matters relating to such Districts; and that any Five or more of the Commissioners for the Fourth, Fifth, and Sixth Districts, shall and may, in all Cases where no particular Quorum or Number is herein appointed, execute all the Powers and Authorities of this Act, in relation to such Districts respectively.

No Order made by the Commissioners shall be altered, &c. unless 10 Days Notice be first given.

Provided always, and be it enacted by the Authority aforesaid, That no Order which shall be made by the said respective Commissioners, or any of them, by virtue of this Act, at any of their respective Meetings, shall be altered, annulled, or made void, at any subsequent Meeting, unless Ten Days Notice at the least be first given of every such Meeting Two following Lord's Days, in the Forenoon, immediately after Divine Service, in the said Parish Church of Ramsey; in which said Notice the Intent and Design of such Meeting shall be declared.

All Proceedings to be at a Meeting.

Provided always, That no Orders, or other Proceedings of the said Commissioners, or any of them, shall be valid, unless done at a Meeting to be held in pursuance of this Act; except only as to the granting of Precepts or Warrants for levying Tares or Penalties, which shall and may be granted and signed by such Commissioners whenever the same shall be necessary, and be required.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act inflicted and imposed, the Recovery whereof is not herein before particularly directed, shall be recovered and levied by Distress and Sale of the Offender's Goods and Chat-

ties, by Warrant from any One or more Justice or Justices of the Peace for the County or Place wherein the Offence was committed, or the Offender shall reside; which Warrant such Justice or Justices is or are hereby required to grant, upon Proof of the Offence by One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is or are hereby impowered and required to administer without Fee or Reward) and the Overplus remaining, after such Penalties and Forfeitures, and necessary Charges are deducted, shall be returned to such Offender; and such Penalties or Forfeitures, when recovered, if not otherwise directed to be applied by this Act, shall be paid into the Hands of the Treasurer for the District wherein, or in relation whereunto, such Offence was committed, and applied for the Use of such District.

This Act not to interfere with the Conservators of *Bedford Level.*

Provided always, and it is hereby further enacted and declared, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to impower the Commissioners appointed to put this Act in Execution, to have, use, or exercise, any Power or Authority over, or to intermeddle with any of the Rivers, Banks, Sewers, Cuts, Drains, Dams, Sluices, Tunnels, or other Works whatsoever, already made, or hereafter to be made, by the Governor, Bailiffs, Conservators, and Commonalty of the Great Level of the Fens called Bedford Level, by virtue of an Act made in the Fifteenth Year of the Reign of His late Majesty King Charles the Second, intituled, An Act for settling the Draining of the Great Level of the Fens called *Bedford Level*, or by virtue of any other Act, Statute, or Power whatsoever, or to invalidate, lessen, diminish, alter, or take away, any the Rights, Powers, or Authorities, vested in the said Governor, Bailiffs, Conservators, and Commonalty, or in the said Governor, Bailiffs, and Conservators; but that all Rights, Powers, and Authorities whatsoever, which by virtue of the said Act, passed in the Fifteenth Year of the Reign of King Charles the Second, or any other Act, Statute, or Power whatsoever, are now vested in the said Governor, Bailiffs, Conservators, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be, in the said Governor, Bailiffs, Conservators, and Commonalty, and in the said Governor, Bailiffs, and Conservators, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Reservation of Rights to Commissioners for preserving the Navigation of *Salter's Load Sluice*, &c.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away, any of the Rights, Powers, and Authorities, vested in the Commissioners appointed in and by an Act of Parliament passed in the Twenty seventh Year of the Reign of His present Majesty, intituled, An Act for improving and preserving the Navigation from *Salter's Load Sluice*, in the County of *Norfolk*, to *Standground Sluice*, in the County of *Huntingdon*; and from *Flood's Ferry*, in the *Isle of Ely*, in the County of *Cambridge*, to *Ramsey High Load*, in the said County of *Huntingdon*; and also the Navigation from *Old Bedford Sluice*, in the said County of *Norfolk*, to the River *Nene*, in the Parish of *Ramsey*, in the said County of *Huntingdon*; but that all Rights, Powers, and Authorities whatsoever, which by virtue of the said Act passed in the Twenty seventh Year of the Reign of His present Majesty, now are vested in the said Commissioners, thereby appointed, or any of them, shall for ever hereafter remain, continue, and be, in the said Commissioners, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Reservation of Rights to Lords of Manors.

Provided always, and be it hereby enacted, That all such Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred, or Half-hundred, have heretofore had within his or their respective Manor or Manors, Liberties, Hundred, or Half-hundred, within or without the said several Districts or Divisions, or any of them, to Waifs, Estrays, Felons Goods, Privileges of Arrests, Escheats, and all other Royalties, not prejudicial to the Draining, be hereby saved to them, their Heirs, Successors, and Assigns, severally and respectively; any thing in this Act to the contrary thereof notwithstanding.

Limitation of Actions.

And it is hereby further enacted by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any thing done, or to be done, in pursuance of this Act, or in Execution of any of the Powers or Authorities hereby given; every such Action, Suit, or Information, shall be commenced or made within Six Calendar Months next after the Fact be committed, and not afterwards; and shall be laid or brought in the County of Huntingdon or Cambridge, and not elsewhere: And the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, Not Guilty; and, if in Replevin, may justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to

General Issue.

do; and give this Act, and the Special Matter, in Evidence, without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon; and that the Fact, alledged to have been done, was done in Purſuance, and by Authority, of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or forbear a Proſecution, or diſcontinue his, her, or their Suit or Suits, or if any Judgement ſhall be given againſt him, her, or them, upon a Demurrer, or otherwiſe, then, in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover Double Coſts; for which he, ſhe, or they, ſhall have like Remedy, as where Coſts by Law are awarded. Double Coſts.

And be it further enacted and declared, That this Act ſhall be deemed a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Publick Act.

FINIS.