Anno tricesimo primo

Georgii II. Regis.

An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Parishes of *Chatteris* and *Doddington*, in the Isle of *Ely*, in the County of *Cambridge*.

WHEREAS certain Fen Lands, Low Grounds, and Commons, lying and being in the Parishes of Chatteris and Doddington, within the Isle of Ely, in the County of Cambridge, containing in the Whole Two thousand two hundred and fifty Acres, or thereabouts, and which are bounded and described as follows; (that is to say) From Slade-bridge, by the West Side of the Drain called Wimblington-leam, or the Twenty-foot, to the Drain called Vermuydens Drain, or the Forty-foot at Gorewillow; and from thence by the South Side of the said Forty-foot, to Garter's Bridge; and from thence by the Hard Lands of Curf and Gore Common, to Slade-bridge again; and from thence by the East Side of the said Wimblington-leam, to the said Forty-foot at Gorewillow; and from thence on the South Side of the said Forty-foot, to Langwood Hill, near Horseway, and so by the Hard Lands on the West Side of Langwood Hill, and by the Hard Lands, round Hick's-Mar-Fen, Birch-Fen, Dellfield, and Northo, and the Hard Lands, to Slade-bridge; and all the Low Lands and Grounds ly- Preamble.

ing within such Boundaries, containing, by Estimation, One thousand two hundred Acres, or thereabouts; which said Lands and Grounds may be conveniently, and are therefore herein after, made the First District of the Lands, Grounds, and Commons, intended by this Act to be drained and preserved; and also all those Lands and Grounds bounded and described as follows (that is to say) From Garter's Bridge, by or along the Bank on the North Side of the said Drain called Vermuydens, or the Forty-foot, to Wimblington-leam aforesaid; and along the North West Side of the said Leam, to the Turf-Fen; and across the said Turf-Fen, to the South West Corner of the Low Lands belonging to Sir Thomas Peyton Baronet; and from thence by Weel Bank, to a Piece of Land called Low Brakeny; and by Low Brakeny, to Woodley Grove; and by the Hard Lands of Woodley Grove, including the Low Lands of Woodley Grove, to the South East Corner of the Town-Land called Ashrow Piece; and from thence by the North Side of Eastall-Moor, to the Turf-Fen-Lane; and from thence by the Hard Lands of Underhills and Gents-Piece, to the common Highway; and by the common Highway to Garter's-Bridge; and all the Low Lands and Grounds lying within such Boundaries, containing, by Estimation, One thousand and fifty Acres, or thereabouts; which said Lands and Grounds may be conveniently, and are therefore herein after, made the Second District of the Lands, Grounds, and Commons, hereby intended to be drained and preserved; 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, Low Grounds, and Commons, shall be, and are hereby divided into Two 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 and Second Districts; in such Manner as is herein-before particularly mentioned.

The Fen and Low Grounds before described, divided into Two Districts.

And be it further enacted by the Authority aforesaid, That the Lord or Lords, Lady or Ladies, for the time being, of the several and respective Manors of Doddington, with the Members, Chatteris, Chatteris-Ramsey, Chatteris Nuns, Tindalls and Lisles, and Bartles lately Gardner's, or in his or their Absence, an Agent appointed by such Lord or Lords, Lady or Ladies, under his, her, or their Hand or Hands, for each Member respectively,

Certain Persons appointed Commissioners, with others, to be chosen for the several Places, to execute the Act.

the Rector of Doddington for the time being, and the Vicar of Chatteris for the time being; and also each and every real Owner for the time being respectively of Twenty Acres or more of several Lands, subject to be tared by virtue of this Act, lying within the said Parishes of Chatteris or Doddington, or within either of them; and also each and every real Owner for the time being respectively of Two or more Rights of Common, on the Commons and Commonable Parts lying within the said Parish of Chatteris, shall be, and are hereby appointed Commissioners for putting this Act and all the Powers herein contained in Execution, within and in relation to the said Districts.

An Agent to be appointed for 20 Acres any Commissioner shall be possessed of.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Commissioner who is the real Owner of Twenty Acres or more of such several Lands as aforesaid, or of Two or more Rights of Common as aforesaid, and every such respective Commissioner is hereby authorized to appoint, by Writing under his or her Hand, from time to time, and for such Time as he or she shall think proper, an Agent to act in his or her Absence as a Commissioner, and such Agents shall and may, in the Absence of the Persons respectively by whom they shall be so appointed, act as Commissioners in the Execution of this Act, in such and the same Manner, and as fully to all Intents and Purposes, as such Commissioners respectively might act and do, if they were personally present.

Joint Owners of Lands sufficient for a Qualification, &c. may act as Commissioners, and appoint Agents.

Provided also, and be it further enacted by the Authority aforesaid, That every Person who shall be joint Owner with any other Person or Persons of several Lands subject to be tared by virtue of this Act, or of any such Rights of Common, as aforesaid, and the Property of such Person in such Lands, or in such Rights of Common, shall be equal to, or exceed, the respective Quantities of several Lands, or the Numbers of such Rights of Common, as are herein before respectively mentioned for the Qualification of Commissioners to act, or to appoint Agents to act in their Absence; every such Person shall be, and is hereby respectively impowered to act as a Commissioner in the Execution of this Act, and the Powers therein contained, and to appoint an Agent, as aforesaid, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if such Person was distinctly and separately possessed of such Interest or Property in such respective several Lands, or Rights of Common; any thing herein before contained to the contrary notwithstanding.

Persons disqualified from acting as Commissioners.

Provided nevertheless, That no Person whatsoever 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 to meet Twice in every Year.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall hold Two General Meetings in every Year; that is to say, On the First Thursday in May, and on the First Thursday in October; and the said Commissioners, or any Five or more of them, may meet at such other Time or Times as they shall think proper; and the First Meeting of the said Commissioners shall be held at the House known by the Sign of the George in the Town of Chatteris, on the Fourteenth Day after the Day of passing of this Act; and the said Commissioners assembled at the said First Meeting, or at any General Meeting, shall and may then, and, from time to time afterwards, adjourn themselves to, and meet at, such other Time and Times, as they, or any Five or more of them respectively, shall think fit; and such Commissioners, or any Five or more of them, may also meet at such other Time and Times as any Five or more of them respectively shall think necessary to appoint, by Notice in Writing, under their Hands, to be affixed on the Doors of the Churches in the Towns of Chatteris and Doddington, Seven Days at the least before the holding any such Meeting; and no more shall be expended out of the Monies to arise by virtue of this Act, than the Sum of Ten Shillings at any one of the said Half-yearly General Meetings; nor more than the Sum of Two Shillings and Six Pence at any other Meeting to be held by virtue of this Act, to be paid in equal Moieties out of the Monies arising within, or in relation to, each respective District.

First General Meeting when to be held.

Adjournments, and other Meetings of the Commissioners.

Sums allowed to be expended at Half-yearly and other Meetings.

Meetings where to be held.

Provided always, That all the General Meetings, and all the Meetings which shall be held by Adjournment, or be summoned, in Manner as aforesaid, shall be held at such convenient Place or Places in the said Towns of Chatteris or Doddington, as the Commissioners, or the major Part of them, who shall be assembled at the previous Meeting which shall be held by Adjournment, shall appoint, or as shall be specified in the Notice for summoning such Meetings respectively, and not elsewhere; so that every Seventh Meeting at least, shall always be held at the said Town of Doddington.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, assembled at all or any of their Meetings to be held by virtue of this Act, shall be, and are hereby fully impowered,

powered, 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, Outlets, Works, and Engines, in, through, and upon the said Fen Lands, Low Grounds, and Commons, or any Part thereof, in such respective Districts, and to make, erect, remove, alter, repair, and maintain, all such Works and Engines thereupon; and if any Works or Engines are already made or erected in or upon such Fen Lands, Low Grounds, or Commons, to remove, alter, repair, or continue the same, in such Manner as they the said Commissioners, or any Five or more of them, shall, from time to time, think necessary or convenient for draining and preserving the said Lands, Grounds, and Commons; 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 Commissioners, or any Five or more of them, shall think proper; making such reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through or upon which any such Cut, Drain, Dam, Bank, Tunnel, Heading, Tray, Stamp, Outlet, Work, or Engine, shall be made or erected, for the Damages he, she, or they shall thereby sustain, as shall be agreed upon between such Commissioners, or any Five or more of them, and such Person or Persons; and in case of Difference concerning the same, such Recompence shall be assessed and determined by any Four Commissioners, or other Persons, not having Property in the District wherein such Lands lie, Two of which Commissioners or Persons shall be nominated by the said Commissioners, or any Five or more of them, and the other Two Commissioners or Persons, by the Owner or Owners of such Soil; and such Four Commissioners, or Persons so nominated, shall, before they proceed to determine such Dispute, chuse One other Commissioner or Person, not having Property in such District, as an Umpire, to determine such Dispute, in case such Four Commissioners or Persons should be equally divided in their Opinions; and all such Commissioners and Persons, before they proceed to determine such Dispute, shall take an Oath well and truly, to the best of their Judgement and Knowledge, to assess and determine such Damages and Recompence (which Oath any One or more of the Commissioners is or are hereby impowered to administer) and such Commissioners or Persons shall set forth their Determination in Two distinct Writings,

Commissioners impowered to cut Drains, and perform all other Works proper for draining the Lands.

Satisfaction to be made to private Owners for Damages done to their Grounds;

to be determined, in case of Difference, by 4 Commissioners,

who are to chuse an Umpire.

Writings, and shall sign the same; One of which Writings shall be delivered to such Owner or Owners, and the other of such Writings shall be deposited with such Person, or in such Place, as the Commissioners, or any Five or more of them, shall, from time to time, direct and appoint; and such Determination shall be final and conclusive to all Parties.

Commissioners to appoint Collectors, and other Officers;

And be it enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, assembled at all or any of the Meetings to be held in pursuance of this Act, shall be, and are hereby respectively impowered to appoint such Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, and such other proper Officer or Officers for each of the said Districts, as they the said Commissioners, or any Five or more of them, shall think fit, for the taking Care of all such Works, and for collecting the Taxes or Assessments which shall be made, rated, or assessed, in each of the said Districts, and to allow to such Officers, out of such Taxes or Assessments, such yearly or other Wages or Salaries for their Trouble and Pains in their respective Offices, as they the said Commissioners, or any Five or more of them, present at any such Meeting, shall think reasonable; which said Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, and other Officer or Officers, so to be appointed, may be removed at the Will and Pleasure of the said Commissioners, or any Five or more of them, assembled at a Meeting to be held for that Purpose, of which Ten Days Notice at the least shall be given in Writing, to be affixed on the Doors of the Churches in the Towns of Chatteris and Doddington; and another or others appointed in his or their Stead, as Occasion shall require; and such Treasurers, Collectors, or Receivers shall, before they act in the Execution of their respective Offices, give such Security, (if the same shall be required) for the due Execution of such respective Offices, and for performing the several Trusts to them committed, as the said Commissioners, or any Five or more of them, assembled at any Meeting, shall think fit.

who are to be removable,

and to give Security.

An Acre Rate to be laid on the Lands for raising Money for carrying on the Purposes of this Act.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any Five or more of them, assembled at their First, and at any General half-yearly Meeting or Meetings, yearly and every Year, to assess, rate, tax, and charge, all and every the respective Owner or Owners, Occupier or Occupiers, of all and singular the said several Fen Lands, Low Grounds, and Commons, within the said Districts, by

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an equal and proportionable Tax or Assessment, in any Rate or Sum not exceeding One Shilling and Six Pence for every Acre of such several Lands in the said First District, and not exceeding Two Shillings for every Acre of such several Lands in the said Second District, and not exceeding Seven Shillings and Six Pence for every Right of Common on the said Commons and commonable Parts, in any One Year, over and above such Taxes and Assessments, whereto the said Fen Lands, Low Grounds, and Commons, now are or hereafter may be chargeable; and also to limit and appoint such Days and Places for the respective Payments of such Taxes or Assessments to the respective Collector or Collectors, Receiver or Receivers, for such respective Districts, as they the said Commissioners, or any Five or more of them, by Writing under their Hands and Seals, shall think proper.

Proviso. Provided always, That the Taxes to be assessed upon the said Common Rights, shall always be in exact Proportion to the Taxes assessed upon such several Lands, according to the Rates herein before authorized to be assessed on such Lands and Common Rights respectively.

And whereas there are Three Rights of Common, on the Commons and commonable Parts, lying within the said First District, in the said Parish of Chatteris, and now belonging to Richard Read Esquire, John Gardner junior, and Henry Brown, which can and do Stock only Part of the Year, and are each of them of no more than Half the Value of any other of the Rights of Common on the same Commons, and commonable Parts; be it therefore provided and enacted by the Authority aforesaid, That the Owners and Occupiers of the said Three Rights of Common, shall not be liable to be rated or assessed, or to pay in any One Year, for or in Respect of such Rights, more than after the Rate of One Moiety of the Tax which shall be rated, assessed, or paid, for or in Respect of the other Rights in the said First District in each respective Year; any thing in this Act contained to the contrary notwithstanding.

Lands exempted from Tax.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the Quantities of the several Lands so to be rated and taxed as aforesaid within the said respective Districts, shall, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty eight, be given in to the Receivers or Collectors of such respective Districts, by the Owners, Proprietors, or Occupiers of such Lands; and if any of such Owners, Proprietors, or Occupiers, shall neglect or refuse to give in to any such Receivers or Collectors, a

Quantities of Land to be taxed, to be given in to Commissioners.

Penalty on Neglect.

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 said Commissioners, or any Five or more of them, to order a Survey to be made of any of the said Lands, by an able Surveyor, not being a Proprietor of any Lands in the District, upon Oath, which Oath any Two of the said Commissioners, are hereby impowered to administer, and any Survey which shall be so made, shall be a sufficient Warrant and Authority to the said Commissioners, or any Five or more of them, 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 deliver 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 Tares are herein 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 District wherein such Survey shall be so made.

Such Lands only as are subject to Inundations, are to be taxed.

Provided also, 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 subject to Inundations; and if any Dispute shall arise whether any of such Lands shall or shall not be deemed Highlands, the same shall be finally determined, in such and the same Manner as is herein before mentioned and prescribed, for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act.

And whereas there is a certain Quantity of Waste Land called the Turf-Fen, containing Three hundred Acres or thereabouts, lying in the said Second District, and is common to both the said Parishes of Chatteris and Doddington, which for Time immemorial hath been used for the digging of Fuel by the Inhabitants of both the said Parishes, and being of a very low Situation, is subject to be overflowed, and is become almost useless, but may be made of Advantage to both the said Parishes by draining the same, but as no Tax can be laid thereon, by Reason it is not known who are the Persons to be charged with such Tax; be it therefore enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners,

ers, or any Five or more of them, and they are hereby impowered to sever and divide into Lots or Parcels, and inclose by Ditches or otherwise, any Part of the said waste Land, not exceeding Forty Acres in the Whole, to hold the same to the said Commissioners and their Successors for ever, in Severalty, freed and discharged of and from all Right of Common or Claim of what Kind soever, to be had or made thereto by any Commoner or Commoners, or any other Person or Persons whomsoever; and it shall be lawful for the said Commissioners, or any Five or more of them, from time to time, to demise or let from Year to Year, and not otherwise, all or any Part of the said Land so severed, divided, and inclosed, to any Person or Persons who will contract for, and hire the same; and the said Commissioners, or any Five or more of them, shall have the like Remedy by Distress and Sale, or otherwise howsoever, for the Recovery of any Arrears of Rent that shall or may hereafter be incurred by the Tenant or Tenants thereof, or for recovering the Possession thereof, or of any Part thereof, as any Lessor or Landlord may or can have by virtue of any of the Laws or Statutes of this Realm; and the Rents, Issues, and Profits thereof, shall be applied and disposed of, in such Manner as the Taxes arising within the said Second District are by this Act directed to be applied.

Commissioners may sever so much of the Common Lands, and let the same, as shall be sufficient to pay the Taxes charged on the rest.

And it is hereby further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, to borrow, take up, and receive, any Sum or Sums of Money that they shall think proper, upon the Credit of the Taxes or Assessments in each respective District, and by Writing, without Stamps, under the Hands and Seals of any Seven or more of them, to mortgage, charge, assign, and convey, or incumber the Taxes or Assessments so to be assessed and levied within each respective District, 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, but the Interest for such Monies shall not exceed the Rate of Five Pounds per Centum per Annum; and such Monies shall be separately and distinctly borrowed for the Use of each District; and it shall be particularly set forth in every such Assignment, for which of the said Districts such Monies are so respectively borrowed.

Commissioners may take up Money at Interest for carrying on the Works, and assign the Rates as a Security for the same.

And it is hereby further enacted, That the said Mortgages and Securities shall and may be assignable or transferrable by Indorsement on the original Grant or Security, or otherwise, without Stamp, to any Person

Assignments may be transferred.

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, in the District to which such Mortgage or Security shall relate, 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 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 Securities so assigned as aforesaid, and so toties quoties, as Occasion shall require; every such such Assignment or Transfer being entered in such Book, as aforesaid.

Assignments to be entered in a Book.

Limitation of the Sum to be be borrowed.

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 on the Credit or Security of the Cares or Assessments arising within or in relation to the said respective Districts; that is to say, On the Cares for the First District, Six hundred Pounds; or on the Cares for the Second District, Seven hundred Pounds; and that the Cares in each respective District shall not, during the Time any Principal or Interest Monies shall be due on the Security thereof, be less in any One Year than One Shilling for every Acre of several Lands in the First District; or than One Shilling and Six Pence for every Acre of several Lands in the Second District; or than Five Shillings for each Right of Common.

Rates chargeable with the Monies borrowedthereon,

and upon Default of Payment to vest in the Creditors.

Provided always, and it is further enacted and declared, That the Cares or Assessments within the said respective Districts, shall be chargeable with the Payment of the Principal Money so to be borrowed by the said Commissioners, 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 satisfied and paid, together with the Costs and Charges occasioned by the Nonpayment 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 Cares or Assessments payable by the several Owners and Occupiers of Lands and Grounds within such Districts respectively, for or in respect of such Principal Money and Interest, in case of

Default of Payment thereof, as the said Commissioners and their Collectors or Receivers could have had, in case such Principal and Interest had been regularly and fully satisfied and paid.

Application of the Assessments, &c.

And it is hereby further enacted by the Authority aforesaid, That all the Cares or Assessments which shall be rated and paid by virtue of this Act in each of the said Districts, and the Monies borrowed on the Credit of such Cares or Assessments respectively, shall be applied and expended in defraying such Proportion of the Expences of this Act, as is herein after particularly appointed to be defrayed, by or on the Behalf of such Districts; and also in making, performing, erecting, and maintaining the Works for draining, imbanking, and preserving the Lands in each District respectively, wherein or upon Account whereof such Cares or Assessments shall be raised and paid, and such Monies shall be borrowed, and in defraying the other necessary Expences of executing this Act, and in discharging of the Principal and Interest of the Monies borrowed in relation to and upon account of each of such Districts respectively.

Charges of passing this Act to be first paid.

And it is hereby further enacted by the Authority aforesaid, That the Charges and Expences of obtaining this Act, shall, in the First Place, be borne and defrayed out of the Cares or Assessments raised in each of the said Districts respectively, or out of the Monies to be borrowed on the Credit of such Cares or Assessments, in the Proportions following; that is to say, Three Parts in Five of such Charges and Expences shall be paid out of the Monies arising within or in relation to the First District; and the remaining Two Fifths of such Charges and Expences, shall be paid out of the Monies arising within or in relation to the Second District.

Taxes how to be levied in Default of Payment.

And be it further enacted by the Authority aforesaid, That if any Person or Persons so rated and assessed as aforesaid, shall refuse or neglect to pay the Tax or Assessment charged upon him, her, or them respectively, for the Space of Twenty one Days after the respective Times of Payment, to be limited and appointed as aforesaid, publick Notice thereof being affixed on some publick Places in Chatteris or Doddington, and Demand made by the respective Collector or Collectors, Receiver or Receivers, or by some other Person or Persons authorized by him or them respectively for that Purpose, it shall be lawful for such respective Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of Three or more of the said Commissioners (which Warrant

rant or Precept such Commissioners, or any Three or more of them,) are hereby impowered and required, from time to time, to make as Occasion shall require) to enter into and upon the Lands, Grounds, and Commons, so rated and taxed, in Possession of such Person or Persons as shall so make Default in Payment as aforesaid, and all Messuages or Tenements thereupon standing, or thereunto belonging, with the Appurtenances, and to levy the Sum or Sums of Money by him, her, or them payable for such Rate or Tax, by Distress of the Goods and Chattles which shall be found on the Premisses so charged with any such Rate or Tax in Arrear as aforesaid; and in case no sufficient Distress can be found on the Premisses, it shall be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy all Arrears of the said Taxes by Distress of the Goods and Chattles of the Person or Persons so making Default in Payment as aforesaid, in any other Place within the Kingdom of Great Britain; and the Goods and Chattles so distrained, to impound on the Premisses, or take, lead, drive, carry away, and keep for the Space of Five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuage or Tenement, Grounds or Premisses, Notice in Writing of the Cause of such Distress; and if the Owner or Owners of the Goods and Chattles so distrained shall not pay the Sum or Sums of Money so assessed or rated, and in Arrear as aforesaid, with all Charges attending such Distress, or replevy the Goods and Chattles so distrained, with sufficient Sureties to be given to the Sheriff of the said County, or Chief Bailiff of the Isle of Ely, according to the Laws now in being for Distresses in Cases of Non-payment of Rent, within Five Days next after such Distress made, and Notice thereof given as aforesaid, the Person or Persons so distraining, may, with the Sheriff or Under-sheriff of the County, Bailiff of the Isle of Ely, or Constable or Headborough of the Parish or Place where such Distress shall be made (who are hereby required to assist therein) cause the Goods and Chattles so distrained, to be appraised by Two or more indifferent Persons, to be sworn by such Sheriff, Under-sheriff, Bailiff, Constable, or Headborough (who are hereby impowered to administer such Oath) to appraise the same according to the best of their Judgement; and after such Appraisement, it shall be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons making such Distress, to sell the Goods and Chattles so distrained, for the best Price that

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can be got for the same, for and towards Satisfaction of the Monies for which such Distress shall be so made, and the Charges of taking, keeping, appraising, and selling the Goods and Chattles so distrained, leaving the Overplus (if any be) in the Hands of such Sheriff, Undersheriff, Bailiff, Constable, or Headborough, for the Owners Use; and the Tenant and Tenants of all and singular the said Fen Lands, Low Grounds, and Commons, which shall be rated and assessed by virtue of this Act, is and are hereby required and authorized to pay such Cares or Assessments, and to deduct the same out of his, her, and their Rent; and every Tenant paying such Tax or Assessment, 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, Grounds, and Commons, except where there is a Lease for Three or more Years to come from the Commencement 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 said Commissioners, or any Five or more of them.

Tax to be paid by the Tenants, and deducted out of their Rent.

Provided always, and be it further enacted by the Authority aforesaid, That no Order which shall be made by the said Commissioners, or any of them, by virtue of this Act, at any of their Meetings, shall be altered, reversed, annulled, or made void, at any subsequent Meeting, unless Seven or more of the Commissioners be present at such Meeting, and Five or more be consenting thereto; nor unless Ten Days Notice in Writing be affixed on the Doors of the Churches in Chatteris and Doddington, in which said Notice the Intent and Design of such Meeting shall be declared; and that every Order for executing the Powers of this Act shall be made at a Meeting of the Commissioners to be held in such Manner as is herein before appointed or authorized, and not otherwise; except only as to the granting of Precepts or Warrants for levying Cares or Penalties, which shall and may be granted and signed by such Commissioners, whenever the same shall be necessary, and be required.

No Order made by the Commissioners to be repealed, unless 5 consent.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously cut, break down, burn, demolish, or destroy, any Bank, Mill, Engine, Flood-gate, or Sluice, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained, or used, in either of the said Districts, for answering

Penalty upon Persons cutting down or destroying Banks or other Works.

ing the Purposes of this Act, every Person or Persons so offending, and being thereof convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport such Felons for Seven Years, in the like Manner as other Felons are directed to be transported by the Laws of this Realm: And if any Person or Persons shall wilfully and maliciously stop, dam up, demolish, damage, or destroy, any River, Drain, Watercourse, Door, Dam, Bridge, Stile, or other Work or Works already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained, or used, for answering the Purposes of this Act; every Person or Persons so offending, and being thereof convicted before any Two or more Justices of the Peace for the Isle of Ely (who are hereby required to hear and determine the same on the Oath of One or more credible Witness or Witnesses) shall forfeit the Sum of One hundred Pounds, to be levied by Distress and Sale of the Goods and Chattles of every such Offender or Offenders, by Warrant under the Hands and Seals of any Two of the Justices before whom such Conviction shall be had, to be applied and laid out in carrying on the Works and Improvements in that District, wherein or in Relation whereto such Offence shall be committed; and for want of such sufficient Distress such Offender or Offenders shall, by the said Justices, be committed to the common Gaol of the said Isle of Ely, for any Time not exceeding Twelve Months, at the Discretion of the said Justices.

Offender may be transported.

Persons convicted of destroying, stopping, or damming up the Drains, forfeit 50 *l.*

For want of Distress the Offender to be committed.

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

Allowance to be made out of the Taxes for destroying Moles.

And whereas it frequently happens, by the Negligence or Carelessness of Servants, or other Persons employed in burning Fen Lands, in order to their being ploughed and broke up into Tillage, that the Banks lying contiguous and adjoining to such Lands are burnt and damaged by the Fire being suffered to remain too long on such Lands, and to spread to such Banks; be it therefore enacted by the Authority aforesaid, That if any Person or Persons, who shall be employed in burning any of the Lands or

Grounds lying within either of the said Districts, shall, by Carelessness or Negligence, fire, or cause to be fired, any of the Banks lying near or adjoining to any of the said Lands or Grounds, so as such Banks be by means of such Fire, burned, destroyed, or damaged; such Person or Persons, being thereof lawfully convicted by the Oath of One or more credible Witness or Witnesses, or by Confession before any Two or more Justices of the Peace for the said Isle of Ely (which Oath such Justices are hereby impowered and required to administer, and to hear and determine such Offence) shall give such Recompence and Satisfaction for the Damages done by every such Offender, and within such Time as by such Justices shall be ordered and appointed, to be paid into the Hands of the Treasurer for the District wherein such Offence was committed, to be applied for the repairing and amending such Bank; and in case of Non-payment thereof, the same shall be levied by Distress and Sale of the Offenders Goods and Chattles by Warrant under the Hands and Seals of the Justices before whom such Conviction shall be made; and for want of sufficient Distress, such Offender shall, by such Justices, be committed to the House of Correction for the said Isle, there to be kept to hard Labour for such Time as such Justices shall order and direct, not exceeding Three Months.

Satisfaction to be made for Damages done to the Banks, by burning of the Grounds.

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 the said respective Districts, through or upon the Lands of any other Person or Persons, 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 said Drain called Vermuydens, or the Forty-foot, every Person shall, for every such Offence, forfeit and pay 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 Damages 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, Privilege, or Wager of Law, or more than One Imparlance shall be allowed.

Penalty of throwing the Waters upon another Person's Lands, and not immediately into the publick Drains.

Accounts to be audited on Oath yearly;

And be it further enacted by the Authority aforesaid, That Once in every Year (that is to say) at the General Meeting on the First Thursday in May, and on any subsequent Days, to which the said Commissioners, or any Five or more of them, shall adjourn, Inspection shall be had by the said Commissioners, or any Five or more of them, of the Receipts and Disbursements of such Monies as shall have been raised and received by virtue of this Act, in and in relation to the said Districts respectively, for the Year then last past, and all Accounts relating to the said Districts, shall be at such Meeting, or within Ten Days after, made up and settled by the said Commissioners, or any Five or more of them then assembled; at which Time the several Treasurers, Collectors, or Receivers of the Tares or Assessments in such respective Districts are hereby required to attend with proper Books of Account 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 Receipts and Disbursements of the Money raised and received by virtue of this Act, within or in Relation to such Districts respectively, and upon Oath (if the same shall be required by any Five or more of the said Commissioners, which Oath any One of the said Commissioners is hereby impowered to administer) the said Commissioners, or any Five or more of them, are hereby impowered to allow and pass, under their Hands, the said Account or Accounts, or such Part or Parts of the same, as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts thereof, shall be fairly entered in Two distinct and separate Sets of Books to be kept for each District for that Purpose; One Set whereof shall be kept by the Treasurer or Treasurers, or such other Person or Persons for each District respectively, as the said Commissioners, or any Five or more of them, shall appoint; and the other Set thereof for the First District, shall be deposited in the Parish Church of Chatteris aforesaid; and the other Set thereof for the said Second District, in the Parish Church of Doddington aforesaid, or in such other convenient Places as the said Commissioners, or any Five or more of them, shall think fit; and the Books so deposited shall and may be inspected and perused at any Time, at reasonable Times, by or at the Request of any Person or Persons rated or tared in pursuance of this Act, on paying Six Pence for the same.

at which Times the Collectors and Receivers are to attend with their Vouchers, &c.

Accounts, after they are passed, to be entered in 2 Sets of Books, &c.

Proceedings of Commissioners to be entered in Books,

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That all Orders and Proceedings of the said Commissioners, or any of them, at their Meetings, shall be entered in distinct and separate

rate Books to be provided for that Purpose, for the respective District to which such Orders and Proceedings shall relate; and such Orders and Proceedings so entered and signed, shall be signed by Five or more of the said Commissioners assembled at such Meetings; and, being so signed, shall be deemed and taken to be Originals; and all such Books, and also the Books hereby directed to be kept for registering the Securities, Assignments, and Transfers, shall and may be read in Evidence in all Cases of Suits or Actions, touching any thing done in relation to, or in pursuance of, this Act. and may be produced, and read in Evidence.

And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall cut or dig any Turf, Hods, or Cesses, in the said Fen, called Turf-Fen, within the Distance of Ninety Feet from any Bank which may be made by virtue of this Act, from Wimblington Leam across such Fen, to the said Low Lands belonging to Sir Thomas Peyton, every Person so offending shall, for every such Offence, forfeit the Sum of Five Pounds; and if any Person or Persons shall make, or cause to be made, any Watering Place, or any Place of Access for Cattle to drink, in any Mill Drain, within any of the said Fen Lands, Low Grounds, or Commons, hereby intended to be drained and preserved, every Person so offending shall forfeit, for every such Offence, the Sum of Five Pounds: And if any Person or Persons shall make, or cause to be made, any Sock-dike or Sock-gripple on any of the said Fen Lands, Low Grounds, or Commons, within the Distance of Ninety Feet from any Bank now made, or hereafter to be made, within either of the said Districts, every such Person so offending shall forfeit, for every such Offence, the Sum of Four Pence for every Foot in Length of such Sock-dike or Sock-gripple, and the like Sum for every Month during which the same shall be continued; all which Forfeitures shall, upon Conviction of the Offender or Offenders before any One or more Justice or Justices of the Peace for the Isle of Ely, upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby impowered and required to administer) be immediately paid into the Hands of the Treasurer for the District wherein, or in relation whereto, such Offence was committed, to be applied for the Improvement of the Works in such District; and, in case of Nonpayment, such Forfeiture shall be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of the Justice or Justices of the Peace before whom such Conviction shall be made; and for

Penalty of cutting Turf within a certain Distance of the Banks;

and of making or continuing the Use of Watering Places for Cattle;

and of making any Sock-dike, &c. near the Banks;

the said Penalties how to be recovered.

want of sufficient Distress, such Offender shall, by such Justice or Justices, be committed to the House of Correction for the said Isle, there to be kept to hard Labour for such Time as such Justice or Justices shall order and direct, not exceeding Three Months.

Tunnel to be laid under *Wimblington Leam, &c.*

And be it further enacted by the Authority aforesaid, That the said Commissioners, any Five or more of them, shall, and they are hereby enjoined and required, on or before the First Day of December, One thousand seven hundred and fifty eight, to cause a sufficient Tunnel to be laid, and for ever thereafter to be kept and maintained, under the said Drain called Wimblington Leam, or the Twenty Foot Drain, lying within the said First District, at or near the End of Curf and Gore Severals, unless the said Commissioners, or any Five or more of them, shall think it more convenient and necessary to answer the Purposes of Draining to erect a Mill or Engine there, that then the said Commissioners, or any Five or more of them, shall, in lieu of such Tunnel, cause a sufficient Mill or Engine to be erected and built, and for ever thereafter to be kept and maintained, and worked as often as shall be necessary, on some convenient Place in Curf and Gore Severals aforesaid; and the Expences of laying down such Tunnel, or of erecting and building such Mill or Engine, and maintaining and working the same, shall be defrayed out of the Monies arising within, or in relation to, the said First District.

unless a Mill be erected for answering the Purpose thereof.

Charges thereof to be paid by the First District.

Sufficient Drains to be made in the Second District, in particular Parts thereof;

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall, and they are hereby enjoined and required, on or before the First Day of December, One thousand seven hundred and fifty eight, to make, or cause to be made, and, from time to time, always thereafter kept and maintained, One Cut or Drain across the said Waste Land called The Turf Fen, lying in the said Second District, from the South East Corner of the Lands in Underhill, belonging to the Rectory of Doddington, to the Lands belonging to the Heirs of Joseph Pope, and which are Part of the Ninety five thousand Acres described in the Lot Book of the Corporation of Bedford Level, Lot (7) Letter B. and also One other Drain across the said Turf-fen, from the South East Corner of the Lands in Eastall Moor, late John Ingram's, to the said Lands belonging to the Heirs of Joseph Pope; which said several Drains shall be made of the Width of Nine Feet at the least at the Top, and of other sufficient Dimensions; and the said Commissioners, or any Five or more of them, shall, and they are hereby enjoined and required, immediately after such

such Drains are completed, to cause proper Bridges to be built, or Tunnels to be made, and for ever thereafter supported and maintained, in or over the said Drains, in such Part thereof as shall be necessary and convenient for the Passage of Cattle and Carriages; and the Expences of making, building, and maintaining such Drains and Bridges, or Tunnels, shall be defrayed out of the Monies arising within, or in relation to, the said Second District. and proper Bridges and Tunnels, to be defrayed by the Second District.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall, and they are hereby enjoined and required, from time to time, to make, set up, and erect, and for ever repair and maintain, such convenient Gates, Stiles, or other proper Fences, in and upon such of the Banks as shall be made by virtue of this Act in each of the said Districts, as are necessary to fence in and inclose the separate Property of every Person whose Lands are lying contiguous to, or abut upon, the said Banks, so that the Property of One Person shall not lie open to the Property of any other Person; and the Expences of making, setting up, erecting, and maintaining the same, shall be defrayed out of the Monies arising within, or in relation to, the District wherein such Gates, Stiles, or other Fences, shall be so made, set up, or erected. Fences to be erected for each District.

And be it further enacted by the Authority aforesaid, That the Owner or Owners for the time being of certain Lands in Normore, lying upon the said Drain, called Thurlois Drain, or the Sixteen Foot, and now in the Possession of Edward Vernam (which said Lands are described in the Great Map of the Great Level of the Fens called Bedford Level (Lot 15. Letter D) shall, from time to time, and at all Times hereafter, maintain and support in good and sufficient Repair, such Parts of the Bank on the West Side of the said Sixteen Foot, as lie within or are adjoining to his, her, or their said Lands, and are now maintained, supported, and repaired, by the Proprietor or Proprietors, Occupier or Occupiers thereof, in Order to prevent the Waters of the said Sixteen Foot, from flowing into, or annoying the Lands lying in the said Second District; and if at any Time hereafter the Waters shall overflow such Parts of the said Bank (except such Overflowing shall be occasioned by a Breach of the Great Banks of the Corporation of Bedford Level) or if the Waters shall pass through any Breach therein, into the said Second District, or into the Lands adjoining thereto, and the said Edward Vernam, or any future Owner or Owners, or the Occupier or Occupiers of such Lands as aforesaid, shall not immediate- Proprietors of Lands in *Normore*, to maintain such Parts of the Bank on the West Side of the *Sixteen Foot*, as adjoin to the said Lands.

ly upon Notice thereof being delivered to him, her, or them, or left at his, her, or their Place or Places of Abode, or at the Place or Places of Abode of such Occupier or Occupiers, raise or repair the said Bank, in such Manner as may prevent the Overflowing or Passage of the Water as aforesaid, then and as often as such Case shall so happen, it shall be lawful for the said Commissioners, or any Five or more of them, from time to time, to cause such Bank to be raised and repaired in such Manner as may effectually prevent such Overflowing or Passage of the Water as aforesaid, and the Expences necessarily incurred in raising or repairing such Banks, shall be reimbursed to the said Commissioners, by the said Edward Vernam, or the future Owner or Owners of such Lands, or the Occupier or Occupiers thereof; and in case of Nonpayment, shall and may be levied by Distress and Sale of the Goods and Chattles of such Occupier or Occupiers respectively, by Warrant or Precept under the Hands of any Three or more of the said Commissioners (which Warrant or Precept, the said Commissioners, or any Three or more of them, are hereby impowered and required to grant for that Purpose) rendering the Overplus to such Occupier or Occupiers, after such Expences, and the Charges of such Distress and Sale, shall be deducted; and if the Tenant or Tenants of such Lands, shall, upon such Notice as aforesaid, raise or repair such Bank, at his, her, or their own Expence, or shall pay the Expence of doing thereof as aforesaid, by the Direction of the said Commissioners, or any Five or more of them, or in case such Expence shall be levied on him, her, or them, the same shall be deducted by such Tenant or Tenants, out of his, her, or their Rent, and shall be allowed by such Owner or Owners (unless an Agreement be made to the contrary between such Owner or Owners, and Tenant or Tenants) in such Manner as the Cares paid by the Tenants, are by this Act directed to be deducted and allowed; and if any such Dispute shall arise between any such Occupiers and the said Commissioners, touching the Amount of the Expences which shall have been necessarily incurred, in raising or repairing such Banks, such Dispute shall be finally determined, in such and the same Manner, as is herein before-mentioned and prescribed, for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act.

Tenants repairing the same, or the Charge thereof being levied on them, are to be reimbursed.

Disputes relating to such Charges how to be determined.

Provided always, and be it further enacted by the Authority aforesaid, That from and after the First Day of July, One thousand seven hundred and fifty eight, no Trees or Holts shall be planted nearer to any Mill which

No Trees or Holts to be suffered to stand near any Mill.

shall be erected or employed for the Purposes of this Act, than Twenty Poles (being the Pole of Eighteen Feet) and if any Person or Persons shall plant any Tree or Holt within the Space aforesaid, every such Person shall forfeit and pay 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 said Commissioners, or any Five or more of them; and it shall be lawful for such Person or Persons as shall be so authorized for that Purpose, 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 said Commissioners, or any Five or more of them, or in case of Difference, such Satisfaction shall be finally determined in such and the same Manner as is herein before mentioned and prescribed for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act.

Penalty on Occupiers neglecting to rode and scour, &c. the Outring and Division Dikes.

And be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers, of any Lands lying within the said Districts, to which any Droveway Dike, Outring Dike, or Division Dike, doth or shall belong, shall neglect or refuse sufficiently to rode, scour, cleanse, open, or repair, any such Dike, or to make the same of a sufficient Depth, and of the Width of Nine Feet at the least, after Fourteen Days Notice in Writing, given to him, her, or them, or left at his or their Place of Abode, from time to time, for that Purpose, by the Collector or Collectors, Receiver or Receivers, of the District wherein such Lands lie (such Collectors or Receivers having an Order in Writing for that Purpose, under the Hands of Three or more of the said Commissioners) every such Owner or Occupier shall, for every such Neglect or Refusal, forfeit and pay the Sum of Twelve Pence for every Rod of the Dike so neglected to be roded, scoured, cleansed, opened, repaired, deepthened, and widened; and it shall be lawful, from time to time, for such Collector or Collectors, Receiver or Receivers, to cause such Dikes, at the proper Charge and Expence of such Owners or Occupiers, to be roded, scoured, cleansed, opened, repaired, and deepthened, in a sufficient Manner, and made of the Width aforesaid, at the least; and where a Way shall have been made over any Dike without a sufficient Tunnel, to cause such Ways to be taken up, and such

Collectors may cause the same to be done, &c. and levy the Charge.

Dike

Dike to be made of a proper Width and Depth; and by Warrant or Precept under the Hands of Three or more of the said Commissioners, to levy such Penalty, and also such Charges and Expences, upon such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattles; and such Penalties shall be applied to the Use of the District wherein such Lands shall be situate.

Mills to be insured against Fire.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, 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 Public 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 the respective District wherein such Mill or Mills shall be erected or employed.

Rights of the Conservators of the Great Level reserved.

Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend or be construed to extend to impower the said Commissioners, or any of them, to have, use, or exercise any Power or Authority over, or to intermeddle with, any of the Banks, Sewers, Drains, or Works, already made or hereafter to be made, by the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called Bedford Level, by virtue of an Act made in the Fifteenth Year of the Reign of 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 or Statute whatsoever; or to invalidate, lessen, diminish, alter, or take away, any of the Rights, Powers, and Authorities, vested in the said Governor, Bailiffs, 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 made in the Fifteenth Year of the Reign of King Charles the Second, or any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs, 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, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

General Reservation of Rights.

Provided also, 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

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.

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, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact be committed, and not afterwards; and shall be laid or brought in the Court of Pleas of the said Isle of Ely, or in the County of Cambridge, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, 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 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 than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or forbear Prosecution, or discontinue his, her, or their Suit or Suits; or if any Verdict shall pass against him, her, or them, upon a Demurrer, or otherwise; then, and in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs,

General Issue.

Treble Costs.

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Costs, for which he, she, or they shall have like Remedy as where Costs by Law are awarded.

Publick Act. And be it further enacted and declared by the Authority aforesaid, 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. 7

FINIS.