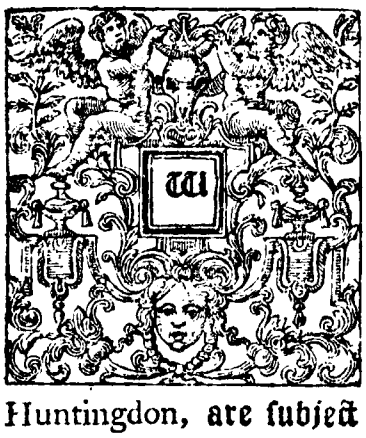
ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XXXIX.

An Act for draining and preſerving certain Fen Lands and Low Grounds, called *King's Delph and Eight Roods*, and alſo other Fen Lands and Low Grounds in a certain Place called *Farcett Fen*, adjoining thereto, lying near to the Hamlet and Village of *Farcett* and *Standground*, in the County of *Huntingdon*.



WHEREAS ſeveral Fen Lands and Low Grounds, called King's Delph and Eight Roods, and alſo other Fen Lands and Low Grounds in a certain Place called Farcett Fen, adjoining thereto, lying near to the Hamlet and Village of Farcett and Standground, in the County of Huntingdon, are ſubject to be overflowed, or otherwiſe annoyed with Water, for want of a proper Drainage, and are by that Means rendered in a conſiderable Degree unprofitable to the Proprietors of the ſaid Fen Lands Preamble.

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Lands and Low Grounds: And whereas the said several Fen Lands and Low Grounds contain in the Whole about Two thousand Acres, and are abutted and bounded as follows; (that is to say), Beginning at a Place called Farcett Bridge, over the River Nen, and from thence along the said River Westward, to a certain Part of the said River opposite to the North-west End of Conqueſt Drove; and from thence along the Middle of the said Drove, South-eastward to the North-west End of Froghall Drove, and along Froghall Drove aforesaid, (including the same), to the South-east End thereof; and from thence Eastward along Twelve Foot Dike, (including the same), between Sir Sampson Gideon's Adventurer's Lands on the South and West Parts, and the Lands of Master William Chapman, Lord Carysfort, and Master Thomas Wright, and certain other Lands called Stibbington and Water Newton, Parts on the North and West, to Bevil's Leam or River; from thence by and along the North Bank of the said Leam or River to Oakley Dike, at the Place where the same adjoins Whittlesea Second District, near Pond's Bridge; and from thence Northward along the said Dike, (excluding the same), by the Side of the Lands called Eight Roods and King's Delph, to the North End of the said Lands called King's Delph; and from thence along the said Dike, to the South-east Corner of Horsey Grounds, (excluding the said Dike and Grounds); and from thence Northwards, by a Ditch dividing Horsey Grounds, and Lands of the Earl Fitzwilliam, John Currell, Edward Bellamy, and William Chapman, called Paradise and Oaky Parts, to a certain Place called Oaky Gate; and from thence across the Road called Oaky Lane to the South Bank of the River Nen aforesaid, (excluding the said River), and along the said Bank of the said River Westward to Farcett Bridge aforesaid: And whereas the said Fen Lands and Low Grounds are capable of great Improvement by the Means of a proper Drainage; but such Drainage cannot be effected without the Aid and Authority of Parliament; may it therefore please your Majesty that it may be it enacted; and be it enacted by the King's most Excellent Majesty, by and with the Ad-

vice 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 several Fen Lands and Low Grounds herein-before abutted, bounded, and described, shall be, and are hereby made One entire District, and shall be embanked and drained in the Manner herein-after directed.

Commissioners appointed.

And be it further enacted, That the Lords and Ladies of the Manors of Standground and Farcett for the Time being, the Vicar of Standground for the Time being, and also every Owner or Proprietor of Fifteen Acres of Land subject to be taxed by virtue of this Act, shall be, and are hereby appointed Commissioners for putting this Act, and all the Powers and Authorities herein-after contained, into Execution; and in case of the Absence of such Commissioner or Commissioners, it shall and may be lawful for him, her, or them, from Time to Time, by Writing under his, her, or their Hand and Seal, to nominate and appoint a Deputy to act in his or her Place and Stead, and such Deputy so nominated and appointed shall be a Commissioner to all Intents and Purposes, for carrying this Act into Execution.

Every Owner of 30 Acres may appoint a Commissioner.

Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for any Person who is the real Owner of Thirty Acres or more of Lands subject to be taxed by virtue of this Act, and every such respective Owner is hereby authorised and impowered to appoint, by Writing under his or her Hand and Seal, from Time to Time, and for such Time or Times as he or she shall think proper, One Commissioner for every Thirty Acres of such taxable Lands over and above his or her Qualification to act as a Commissioner for Fifteen Acres of such Lands, in Person, or by Deputy, as aforesaid, and also over and above the Commissioners herein-before appointed; and such Commissioner so appointed by such Owner of such Thirty Acres, as aforesaid, shall be a Commissioner to all Intents and Purposes, for carrying this Act into Execution.

If an Owner of 30 Acres be a Minor, &c. the Guardian or Committee to act or appoint a Commissioner.

Provided also, and be it enacted, That if any Person who, by virtue of this Act, is impowered to act as a Commissioner, in Person, or by Deputy, shall, at the Time of passing this Act, or at any Time or Times afterwards, be a Minor under the Age of Twenty-one Years, Idiot, Lunatick, or of unsound Mind, that it shall and may be lawful for the Guardian of such Minor, and for the Committee or Trustee of such Idiot, Lunatick, or Person of unsound Mind, to act in Person as Commissioner for putting this Act into Execution; or, in his or her Absence, by Writing under his or her Hand and Seal, to appoint a Deputy for that Purpose; and also shall and may, by Writing under his or her Hand and Seal, nominate and appoint a Commissioner for every Thirty Acres of Land belonging to such Minor, or other Person under such legal Disability, as aforesaid; and that such Commissioners, so nominated and appointed, shall be Commissioners to all Intents and Purposes, for carrying this Act into Execution.

Joint owners, &c. taxed by virtue of this Act, may act as Commissioners, or by their Deputies, provided their Shares are not less than fifteen Acres.

Provided also, That all Persons who shall be Joint-tenants, Tenants in common, or Parceners of any Lands lying within the Limits aforesaid, and tared by virtue of this Act, shall, for their several and respective Shares, be intitled to act by virtue of such respective Shares as Commissioners by themselves, or their respective Deputies, and shall have the same Powers as if such Lands so held by them as Joint-tenants, Tenants in common, or Parceners, were actually severed and divided; provided that such respective Shares shall amount to Fifteen Acres or Thirty Acres respectively.

Appointment of Commissioners to be entered in a Book, &c.

And be it further enacted, That every Nomination or Appointment of a Commissioner or Commissioners, in pursuance of this Act, shall be entered gratis by the Clerk to the said Commissioners in a Book to be kept for that Purpose; and that such Commissioner or Commissioners shall and may, and is and are hereby impowered to act in the Execution of this Act, till superseded by a fresh Nomination, to be entered in such Book as aforesaid.

And

And be it further enacted, That the First Meeting of the said Commissioners shall be held at the Talbot Inn at Peterborough, in the County of Northampton, on the Tuesday Three Weeks after the passing of this Act; and that the said Commissioners, or their Successors, or any Five or more of them, shall meet Twice in every Year; and that One of the said Half-yearly Meetings shall be held on the Second Tuesday in June, One Year at Standground, and the other Year at Farcett, alternately, and that the other of the said Half-yearly Meetings shall be held on the Second Tuesday in October, at the Talbot Inn in Peterborough aforesaid, or at such other publick House in Peterborough aforesaid as the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, shall appoint; Notice of which said Half-yearly Meetings shall be given in The Cambridge Chronicle and Journal, or in some other Paper circulated in the County of Huntingdon, at least Ten Days before any of such Meetings; and shall and may meet at such other Times and Places, near the Limits aforesaid, as the said Commissioners, or any Five or more of them, shall see Cause, or think convenient, pursuant to Notice in Writing for that Purpose signed by any Three or more of them, and inserted in The Cambridge Chronicle and Journal, or in any other Paper circulated in the said County of Huntingdon, and also affixed on the Outside of the Church Doors of Standground and Farcett aforesaid, Ten Days at least before any such Meeting; and that the said Commissioners may, from Time to Time, adjourn themselves, and meet again pursuant to such Adjournment, as often as they shall think proper.

First Meeting of Commissioners.

Meetings may be adjourned.

And be it further enacted, That nothing shall be done by the said Commissioners in the Execution of this Act, but at a Meeting to be held in pursuance or in consequence of some Order or Orders made at such Meeting or Meetings.

Nothing to be done but at publick Meetings.

And be it further enacted, That all the Lands and Grounds whatsoever, within the said Boundaries before mentioned, and all Works whatsoever already made, or to be made or erected by virtue of this Act, and also all Sewers, Drains, Watercourses, and all other Matters

Draining of Lands and other Works to be under the Direction of Commissioners.

and Things whatsoever within the said Boundaries, shall, from and after the First Meeting of the Commissioners hereby appointed, be subject to the Controul, Direction, Survey, Order, and Jurisdiction, of the said Commissioners, and their Successors, and not to the Controul, Direction, Survey, Order, or Jurisdiction, of any Commission of Sewers, or any Law or Statute relating to Sewers; any former Law or Statute to the Contrary notwithstanding.

Commissioners to make Drains, &c.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, from Time to Time, and at all Times hereafter, at their Will and Pleasure, to make, erect, support, alter, and maintain, such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Slamps, Outlets, Works, and Engines, in, through, and upon, the said Lands and Grounds, or any Part thereof, and to make, erect, remove, alter, repair, and maintain, all such Works and Engines therein; and if any Works or Engines are already made or erected in or upon such Lands or Grounds, the same to remove, alter, repair, or continue, as the said Commissioners, or any Five or more of them, shall, at any Meeting or Meetings to be held in pursuance of this Act, order, direct, or appoint; 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, Slamp, Outlet, Work, or Engine, shall be made or erected, for the Damage 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 who shall have sustained such Damages as aforesaid.

making Satisfaction to Persons having a Right to the Soil.

Two Engines to be erected.

Provided always, That Two Engines or Mills for draining the said Lands shall, on or before the Twenty-first Day of December next after the passing of this Act, be erected and placed upon the said Lands, the One at or near the North-west End of Conquest Drove, for the Purpose of draining so much of the higher Part of the said Lands as are herein-after particularly mentioned and described by a Communication with the River Nen, and

and the other Engine or Mill to be placed at or near the Head of the said Dike or Drain called Twelve Foot Dike, within the said District, for the Purpose of throwing the Waters of the lower Parts of the said Lands into Bevil's River aforesaid; and that such Mills or Engines shall be of such Dimensions as the said Commissioners, or any Five or more of them, shall, at any Meeting to be held in pursuance of this Act, order and direct.

Power to the Commissioners to prevent the Water of the higher Lands descending on the low Lands.

And whereas it is intended that the Waters of the higher Parts of the said Fen Lands and Low Grounds, to be drained by the Engine at or near the North-west End of Conquest Drove, shall not have any Communication with the lower Part of the said Fen Lands and Low Grounds, except at such Times when the said Engine is disabled from working, by being broke or out of Repair; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Five or more of them, and they are hereby impowered and required, within Six Calendar Months after the passing of this Act, to fix and place sufficient Dams, Banks, and Headings, upon the said higher Parts of the said Lands, in such Places, and in such Manner, as Thomas Hogard of Spalding, in the County of Lincoln, Thomas Moore of Whittlesea in the Isle of Ely, and John Wing of Thorney Abbey, in the said Isle, Gentlemen, or any Two of them, shall direct and appoint, as will not only prevent the Waters running to the lower Parts of the said Lands intended to be drained by the Engine to be placed at or near the Head of the Twelve Foot Dike aforesaid, but to cause such Water to run to the said Engine to be placed at or near the said North-west End of Conquest Drove aforesaid, from all the Lands on the West and North of the several Pieces and Parcels of Lands and Droves herein-after mentioned; (that is to say), The Lands of Robert Pigott Esquire, Mary Cooke Spinster, Master Robert Bellamy and Master Nicholas Fryes, on the South-east of Collin's Drove, the Lands of Master Edward Bellamy adjoining to the said Drove, the South-east Part of certain Lands of Sir Brownlow Cust Baronet, called Little Lords Parts and Great Lords Parts, and the Drove leading

ing from King's-Delph Drove to Oakey Gate, (exclusive the several Lands and Droves herein-before particularly mentioned); and that when such Dams, Banks, and Headings, are made and placed as aforesaid, the same shall remain and continue for ever.

Commissioners neglecting to make Dams, the Owners may make the same, and the Expences to be paid by the Treasurer.

Provided always, and be it enacted by the Authority aforesaid, That in case the said Commissioners shall refuse or neglect to fix and place such Dams, Banks, and Headings, upon the said higher Parts of the said Lands within the Limits aforesaid, so as effectually to prevent the Waters of the said Lands running or descending into and upon the lower Parts of the Lands intended to be drained by the said Engine to be placed at or near the Head of Twelve Foot Dike aforesaid, for the Space of Six Calendar Months after the passing of this Act; that then it shall and may be lawful to and for the Owners of the said several Lands intended to be drained by the Mill or Engine to be placed at or near the Head of Twelve Foot Dike aforesaid, or for any One or more of them, to order and direct such Dams, Banks, and Headings, to be placed and fixed in such Places as the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, shall direct and appoint, as aforesaid, so as effectually to answer the Purposes intended by this Act; and the Treasurer to the said Commissioners is hereby directed and required to pay the Charges and Expences of making and fixing such Dams, Banks, and Headings, as aforesaid, out of any of the Monies to be raised by virtue of this Act; and in case such Treasurer shall neglect or refuse to pay such Charges and Expences, the same shall and may be recovered by the Person or Persons so ordering such Works to be done as aforesaid, by Action of Debt, to be brought by him or them against such Treasurer in any of His Majesty's Courts of Record at Westminster.

Owners making new Cuts, &c. the Commissioners to cause proper Dams and Headings to be made, to prevent Waters descending upon the lower Lands.

Provided also, and be it enacted by the Authority aforesaid, That in case any Owners or Occupiers of the said Lands, so intended to be drained by the said Engine to be placed near the North-west End of Conquest Drove aforesaid, shall make any new Cut or Dike upon the said Lands which shall convey the Water into and upon the lower

lower Lands intended to be drained by the Engine to be placed at or near the Head of Twelve Foot Dike aforesaid, that the said Commissioners, or any Five or more of them, shall and may, and they are hereby impowered, to cause sufficient Dams and Headings to be made and placed in such new Cuts or Dikes, effectually to prevent the Water descending upon the said lower Lands, and that the Costs and Expences attending the making and placing such Dams and Headings shall be paid and borne by the Owners of the several Lands in which such Cuts or Dikes shall be made; and in case such Owners shall refuse to pay such Costs and Expences, the same shall and may be recovered by the said Commissioners so ordering the said Dams and Headings to be made, by Action of Debt, to be brought in the Name of the said Commissioners, or any One of them, against such respective Owners, in any of His Majesty's Courts of Record at Westminster, together with full Costs of Suit.

Owners refusing to pay the Expence may be prosecuted.

Provided always, and be it enacted, That in case the said Engine to be placed near the North-west End of Conquest Drove aforesaid shall, by Means of any Accident, be destroyed or damaged, so as to prevent the same from working, it shall and may be lawful for the said Commissioners, or any Five or more of them, (at a Meeting to be held for that Purpose), to make such Tunnels as to them shall seem necessary for conveying the Water off the said higher Parts of the said Lands, into any Dikes or Drains leading to the said Engine, to be placed near the Head of Twelve Foot Dyke aforesaid, and to permit the Water to run through the said Tunnels, till such Engine to be placed at the North-west End of Conquest Drove aforesaid shall be rebuilt or repaired, and no longer.

Tunnels may be made when the Engine is is out of Repair.

Provided nevertheless, and be it enacted by the Authority aforesaid, That the Water shall not be permitted to run or pass through the said Tunnels, at any Time or Times, when the said Engine to be placed at the Head of Twelve Foot Dyke aforesaid, is prevented from working; but that it shall and may be lawful for the

The Water not to pass through the Tunnels, when the Engine at the Head of the *Twelve Foot Dike* is stopped.

Surveyor, or other Officer to be appointed by the said Commissioners for taking Care of the Works of the said Drainage, from Time to Time, to stop the Water from running or passing through such Tunnels, when and so often as the said Engine to be placed at the Head of Twelve Foot Dike aforesaid shall be prevented from working, and to continue such Tunnels stopped, till the last-mentioned Engine shall begin to work again.

Overfalls to be placed in any Parts of the Drains, &c.

And whereas the lower Parts of the said Lands intended to be drained by the said Mill or Engine so directed to be placed at or near the Head of Twelve Foot Dike aforesaid are in great Danger of being annoyed and damaged by the Water which will descend from the higher Parts of the Lands intended to be drained by the said last-mentioned Mill or Engine, and particularly at such Times as the said Mill or Engine shall be prevented from working, unless proper Overfalls shall be placed in different Parts of the Dikes and Drains within the said high Lands; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, and they are hereby authorised, impowered, and required, within Six Calendar Months next after the passing of this Act, to order and direct such and so many Overfalls to be placed in any Parts of the said Dikes and Drains, and in such Manner, as to them the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, shall appear to be necessary to stop the Waters in such Dikes and Drains from running and descending upon the several Lands below the respective Places where such Overfalls shall be made and fixed; and that the Expences of making and fixing such Overfalls, and of repairing and supporting the same, shall, from Time to Time, be paid out of the Monies to be raised by virtue of this Act; and that the same shall be deemed and taken as Part of the Works of the said District, and shall not be removed by the said Commissioners, or any Person acting under them, on any Pretence or Account whatsoever.

Provided

Provided always, and be it enacted by the Authority aforesaid, That in case the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, shall neglect or refuse, or shall, by any Means whatsoever, be prevented from making and firing such Overfalls, within the Time herein-before limited for that Purpose, that then it shall and may be lawful to and for the several Owners of the said Lands, called Water Newton Parts and Stibbington Parts, and of any other of the said Low Lands which may sustain any Damage for want of such Overfalls, with the Consent and Approbation of the said Commissioners, or any Five or more of them, at a Meeting to be held for that Purpose, to nominate and appoint, by Writing under the Hands and Seals of such Owners, and of the said Commissioners, or any Five or more of them, present at such Meeting, One or more disinterested Person or Persons for the firing and placing such Overfalls, as aforesaid; and in case the said Commissioners shall neglect or refuse to call a Meeting for that Purpose, or to join in such Appointment, for the Space of One Calendar Month after Request shall be made in Writing, and signed by or on the Behalf of such Owners, and delivered to the Clerk of the said Commissioners, that then it shall and may be lawful to and for the said several Owners of such Low Lands to nominate and appoint, by Writing under their Hands and Seals, One or more disinterested Person or Persons for the firing and placing such Overfalls, as aforesaid; and such Person and Persons, so nominated and appointed, shall have such and the same Powers as are herein-before for that Purpose given to the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them; and the said Overfalls shall be made and fired, and from Time to Time supported and repaired, at the Expence of the said Commissioners, in the same Manner as if the same had been made and fired by the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, as aforesaid.

If the Persons appointed for making Overfalls, &c. shall neglect, others to be appointed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to make Contracts

Commissioners may make Contracts.

tracts with any Person or Persons for performing any of the Works, Matters, and Things, that shall be thought necessary to be done in the Execution of this Act.

Commissioners to contract for the purchase of Lands.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall have full Power and Authority, and are hereby impowered, to agree with the Proprietors of, and Persons interested in, any Lands, Tenements, or Hereditaments, or for any Mill or Engine already erected upon any of the Lands intended to be drained by virtue of this Act, which they the said Commissioners, or any Five or more of them, shall judge necessary to be made use of in any Manner, in Whole or in Part, for the Purposes of this Act, either for the Purchase of such Mill or Engine, Lands, Tenements, and Hereditaments, or for the Recompence to be made to such Proprietors or Persons interested therein for the Damage they may respectively sustain, and also to settle and ascertain in what Proportion the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises; and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate and Sole, Husbands, Guardians, Trustees, or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes-covert, or Persons under any other legal or natural Disability, and to and for all and every other Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Mill or Engine, Lands, Tenements, or Hereditaments, to contract for, sell, and convey, unto the said Commissioners, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint, the Fee-simple and Inheritance, or the whole Estate and Interest of such Person or Persons, or Bodies Politick, Corporate or Collegiate, Aggregate or Sole, or other Persons whomsoever, of and in such Mill or Engine, Lands, Tenements, and Hereditaments, for the Pur-

pose aforesaid, or to agree with the said Commissioners, or any Five or more of them, for any Recompence to be made for any Damages occasioned by the Execution of any of the Powers of this Act; and all such Contracts, Sales, Conveyances, and Agreements, shall be valid and effectual in the Law to all Intents and Purposes, not only so as to alienate, convey, and transfer the Estate and Interest of the Person or Persons actually entering into, making, and executing the same, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, both in Law and Equity, of their several and respective Cestuique Trusts, whether Infants or Issue born, Lunaticks, Idiots, Femes-covert, or other Person or Persons whomsoever, and all claiming or to claim by, from, or under them; any Law, Statute, Usage, or Custom, to the Contrary notwithstanding; and all Bodies Politick, Corporate, or Collegiate, and all Persons whomsoever, so conveying as aforesaid, are hereby indemnified for what they or any of them shall do, in pursuance, and according to the true Intent and Meaning of this Act.

Where Persons shall refuse or neglect to treat,

And be it further enacted, That if any such Bodies Politick, Corporate or Collegiate, Trustee or Trustees, or other Person or Persons interested or concerned as aforesaid, for the Space of Twenty-one Days after Notice in Writing given to the principal Officer or Officers of such Body Politick, Corporate or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at his, her, or their respective Place or Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers, of such Mill or Engine, Lands, Tenements, or Hereditaments, intended to be cut, altered, dug, or used, for any of the Purposes in this Act, as aforesaid, shall neglect or refuse to treat, or shall not agree with the said Commissioners, or any Five or more of them, or by reason of Absence shall be prevented from treating, touching the Matters aforesaid; then, and in every such Case, the said Commissioners, or any Five or more of them, are hereby impowered, from Time to Time, to issue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of Huntingdon

Jury to be summoned to ascertain the Value of Damages.

for

for the Time being, or in case such Sheriff shall be immediately interested in such Matter in Question, then to One of the Coroners of the said County, commanding such Sheriff or Coroner to impanel, summon, and return a Jury; and the said Sheriff or Coroner respectively, to whom the said Warrant or Warrants shall be directed, is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in His Majesty's Courts at Westminster, to appear before the said Commissioners, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, not being less than Fourteen Days after such Warrant shall be served upon the said Sheriff or Coroner respectively, upon Pain to forfeit for every Default in not making such Return Ten Pounds, to be sued for and recovered in the Manner herein-after directed; and also to return in Issues upon every Person so impanelled and returned not appearing, contrary to the true Intent and Meaning of this Act, the Sum of Five Pounds, which shall be levied by Distress and Sale of the Goods and Chattels of the Person not appearing as aforesaid, by Warrant or Warrants under the Hands and Seals of the said Commissioners, or any Five or more of them; and in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff or Coroner shall return other honest and indifferent Men that can speedily be procured to attend that Service, being qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Commissioners, or any Five or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from Time to Time, as Occasion shall require, to summon and call before them all and every such Person or Persons as shall be thought necessary to be examined as Witnesses touching the Matters in Question; and the said Commissioners, or any Five or more of them, may order and authorise the said Jury, or any Six or more of them, to view the Place or Places,

Jury may be challenged.

Witnesses may be called and examined upon Oath.

or

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or Matter in Question; which Jury, upon their Oaths, to be administered by the said Commissioners, or any One or more of them, (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, or any One or more of them, are and is hereby impowered to administer), shall inquire of, assess, and ascertain, the Sum or Sums of Money to be paid for the Purchase of such Mill or Engine, Lands, Tenements, or Hereditaments, or the Recompence to be made for such Damages as may or shall be sustained, as aforesaid, and to settle and ascertain in what Proportion the Sum or Sums so assessed shall be paid to the several Persons interested in the Premises; and the said Commissioners, or any Five or more of them, shall give Judgement for such Purchase-monies or Recompence so to be assessed by such Juries; which said Verdict, and the Judgement thereupon pronounced by the said Commissioners, or any Five or more of them, shall be binding and conclusive to all Intents and Purposes, against all Parties, Bodies Politick, Corporate and Collegiate, and all Persons whomsoever.

Verdict to be final.

Provided also, and be it enacted, That if any Person or Persons, summoned as aforesaid to give Evidence, shall neglect or refuse to appear at such Time or Times, Place or Places, as shall be appointed in the Warrant or Warrants granted by the said Commissioners, or any Five or more of them, or appearing shall refuse to be sworn or examined by or give Evidence before the said Commissioners, or any Five or more of them; or if any Person summoned as a Juryman as aforesaid, shall, after his Appearance, refuse to be sworn, or, being so sworn, refuse to give or not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premises, contrary to the true Intent and Meaning of this Act, every Person so offending, having no reasonable Excuse to be allowed by the said Commissioners, or any Five or more of them, shall, for every such Offence, forfeit and pay a Sum not exceeding the Sum of Forty Shillings; to be levied on the Goods and Chattels of the Person or Persons so offending, by Warrant or Warrants under the Hands and Seals of the said acting Commissioners, or any Five or

Witnesses not appearing, or refusing to be sworn,

or any Juryman refusing to be sworn, or not giving a Verdict,

shall forfeit 40s.

more of them, by Distress and Sale of the Offender's Goods, rendering the Overplus, if any, to the Owner thereof, after such Penalty, and the Charges of such Distress and Sale, are deducted.

Expences of Jury how to be paid.

And be it further enacted, That in case any Jury to be summoned and sworn as aforesaid shall give a Verdict for more Monies as a Recompence or Satisfaction for any Mill or Engine, Lands, Tenements, or Hereditaments, or for any Damage done or to be done thereto, than what shall have been offered by or on Behalf of the said Commissioners, or any Five or more of them, before the summoning of any such Jury, for such Recompence or Satisfaction, that then all the reasonable and necessary Expences of summoning and returning such Jury, and the Charges of such Witnesses, and of taking such Inquest, shall be paid and defrayed by the said Commissioners, or any Five or more of them, out of the Monies to arise by virtue of this Act; but if any such Verdict shall be given for no greater Sum, or a less Sum, than shall have been so previously offered by or on Behalf of the said Commissioners, or any Five or more of them, for such Recompence or Satisfaction, that then the Expences of summoning such Jury, and the Charges of such Witnesses, to be settled by the said Commissioners, or any Five or more of them, shall be borne and defrayed by the Owners of or Persons interested in the said Mill or Engine, Lands, Tenements, or Hereditaments, so in Question, and the Expences so ascertained shall be deducted and taken out of the Monies so assessed and adjudged, and the Payment or Tender of the Remainder of such Monies shall be deemed, within the Intent and Meaning of this Act, to be a full Satisfaction for such Mill or Engine, Lands, Tenements, Hereditaments, or Damages respectively.

Commissioners may proceed on Works after Satisfaction.

And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall be agreed upon between the said Commissioners, or any Five or more of them, and the Party or Parties interested, or of such Sum or Sums of Money as shall be assessed by any such Jury to such Party or Parties, or to the principal Officer or Officers, Treasurer, or Receiver

of any such Bodies Politick, Corporate or Collegiate; or if he, she, or they, cannot be found, or refuse to accept such Money, upon Payment thereof to the Clerk or Treasurer of the said Commissioners, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Party or Parties, principal Officer or Officers, Treasurer, or Receiver respectively, the said Commissioners, and all Persons employed or authorised by them, or any Five or more of them, shall have full Power and Authority to enter into and upon the Mill or Engine, Lands, Tenements, or Hereditaments, in respect whereof such Monies were so agreed for or assessed, and to make use of such Mill or Engine, Lands, Tenements, and Hereditaments, for the Purposes of this Act; and they shall be, and are hereby, indemnified for so doing; and all and every Person and Persons, Bodies Politick, Corporate and Collegiate whatsoever, shall from thenceforth be, to all Intents and Purposes, divested of all Right, Title, and Claim, Interest and Property, to and in the same.

Tender of Recompence made to Commissioners, &c. for surveying and levelling Lands, &c.

Provided always, and be it enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, without any previous Payment or Tender of Recompence, to enter upon and take a Survey, and level of, and to mark out any Lands, Tenements, or Hereditaments, which they the said Commissioners, or any Five or more of them, shall think necessary to be used for any of the Purposes of this Act, doing thereby as little Damage as may be, and making Satisfaction as soon as conveniently may be, for all Damages which shall be thereby occasioned, in case such Damages exceed the Sum of One Shilling and Sixpence; and in case such Damages shall not amount to the Sum of One Shilling and Sixpence, then no Satisfaction shall be paid or recovered, or sued for, on account thereof, in any Court whatsoever.

Bodies Politick, &c. to have Satisfaction for Damages.

And be it further enacted, That if any Person or Persons, Bodies Politick or Corporate, at any Time after the said Commissioners, or any Person or Persons employed by, or authorised by them, shall have begun to carry this Act into Execution, for making the said Drainage, or

shall

shall have completed the same, shall happen to sustain any Damage or Injury in his, her, or their Lands, Grounds, or Hereditaments, for which they shall have had no Recompence or Satisfaction, through any Neglect or Default of the said Commissioners, or their Agents, Workmen or Servants, or by reason of any Alteration which shall be made by them, or any or either of them, on account of the Works to be made by virtue of this Act, or from any other Cause; then, and in every such Case, if the said Commissioners, or any Five or more of them, and the Parties by whom such Damages shall have been sustained, shall not agree touching such Damages, the said Commissioners, or any Five or more of them, shall inquire of and ascertain such Damages by a Jury, to be impanelled and returned as aforesaid, and give Judgement for the Party or Parties aggrieved, who shall recover the same accordingly, in the same Manner and Form as the Damages and Recompence are hereby appointed to be assessed and adjudged for any Lands, Tenements, or Hereditaments, which shall be in any-wise made use of, cut, or damnified, in the Execution of any of the Works by this Act directed to be made.

All Verdicts, &c. to be inrolled with the Clerk of the Peace.

And be it further enacted, That all Verdicts and Judgements which shall be made and given in relation to any such Lands, Tenements, and Hereditaments, so to be used for the Purposes of this Act as aforesaid, such Verdicts and Judgements being signed by the major Part of the said Commissioners who shall be present at the taking of such Inquests, shall be delivered to and filed by the Clerk of the Peace for the County of Huntingdon, and the same, or a true Copy thereof, shall be admitted as Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, and to take Copies thereof, upon paying for every such Inspection the Sum of One Shilling, and for every such Copy, not exceeding Seventy-two Words, the Sum of Two-pence, and so in proportion for any greater Number of Words.

Lands taxed to be ascertained, and may be taxed not exceeding 3*s. per* Acre *per Annum.*

And whereas some Doubts and Difficulties have arisen as to what Part of the Lands within the Limits aforesaid should be entirely exempt from Tax, and whether the Whole of the taxable Lands within the said Limits should

pay

pay and bear an equal Rate or Tax; therefore, and in order to obviate such Doubts and Difficulties, and that a sufficient Sum of Money may be raised by a Rate or Tax upon the said Lands for the carrying the several Purposes of this Act into Execution, be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Thomas Hogard, Thomas Moore, and John Wing, and they, or any Two of them, are hereby authorised and impowered, after a View taken of the said several Lands within the Limits aforesaid, and a Survey thereof taken in Manner herein after directed, and delivered to them, or any Two of them, to ascertain, judge, and determine, what Part of the said Lands shall be entirely exempt and discharged from Payment of any Rate or Tax for the Purpose of carrying the Works directed by this Act into Execution, and to fix and ascertain an annual Rate or Tax to be charged on the remaining Part of the said Lands within the Limits aforesaid, either equally or in Proportion to the Benefit which the Lands may be supposed to receive by the Drainage thereof, so as such Rate or Tax does not exceed the Sum of Three Shillings an Acre by the Year on any of the said Lands.

Messrs. *Hogard, Moore,* and *Wing*'s Award to be binding and conclusive.

Provided always, That if they the said Thomas Hogard, Thomas Moore, and John Wing, or Two of them, shall and do make their Award in Writing touching the Premises under their Hands and Seals, and deliver the same within Six Calendar Months next after the passing this Act to the said Commissioners, or any Five or more of them, at a Meeting to be held for that Purpose, pursuant to a Notice in Writing to be signed by Three or more of the said Commissioners, and inserted in The Cambridge Chronicle and Journal, or in some other Weekly Paper circulated in the said County of Huntingdon, and also affixed on the Outside of the Doors of the Churches of Standground and Farcett aforesaid, at least Fourteen Days before such Meeting, and if they the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, do and shall verify such Award upon Oath before the said Commissioners, or any Five or more of them, at such Meeting, (which Oath

the said Commissioners, or any One or more of them, is and are hereby impowered and required to administer), that then the said Commissioners, or any Five or more of them, shall, as soon as conveniently may be after such Meeting, cause the said Award to be entered and inrolled with the Clerk of the Peace for the County of Huntingdon; (for which Entry or Inrolment the Sum of Two-pence for every Seventy-two Words is to be paid, and no more); and that, from and immediately after such Entry and Inrolment, the said Award shall be binding and conclusive to all Parties concerned therein, and the said several Lands within the Limits aforesaid shall be, and are hereby made subject and chargeable with such Rates and Taxes, as shall by the said Award be imposed and charged thereon; and the said Commissioners, or any Five or more of them, shall and may, and are hereby impowered to levy and collect the said Rates and Taxes, pursuant to the said Award.

In case of Death of any such Persons, &c. Commissioners to appoint others.

Provided always, and be it enacted, That in case of the Death of the said Thomas Hogard, Thomas Moore, and John Wing, or any One of them, or Refusal to act before their completing the said Award, it shall and may be lawful for the said Commissioners, or any Seven or more of them, at a Meeting to be held for that Purpose pursuant to Notice in Writing to be signed by Three or more of the said Commissioners, and inserted in The Cambridge Chronicle and Journal, or in any other Weekly Paper circulated in the said County of Huntingdon, and also affixed on the Outside of the Doors of the Churches of Standground and Farcett aforesaid, at least Fourteen Days before such Meeting, to nominate and appoint One or more Person or Persons in the Place of such of them the said Thomas Hogard, Thomas Moore, and John Wing, as shall happen to die, or refuse to act, as aforesaid; and such other Person or Persons so nominated and appointed shall have such and the same Power and Authority as is by this Act given to the Person or Persons who shall happen to die, or refuse to act as aforesaid.

Provided

Provided also, and be it enacted by the Authority aforesaid, That in case the said Thomas Hogard, Thomas Moore, and John Wing, or such other Person or Persons who may be appointed in their Steads as aforesaid, or any Two of them, shall not make their said Award at or before the Time herein-before limited and appointed; that then, and in such Case, it shall and may be lawful for the Commissioners appointed by this Act, or any Seven or more of them, at a Meeting to be held for that Purpose, pursuant to a Notice in Writing to be signed by any Three or more of the said Commissioners, and inserted in The Cambridge Chronicle and Journal, or in any other Weekly Paper circulated in the said County of Huntingdon, and also affixed on the Outside of the Doors of the Churches of Standground and Farcett aforesaid, Twenty-one Days at least before such Meeting, and they the said Commissioners, or any Seven or more of them, are hereby impowered, by Writing under their Hands and Seals, to nominate and appoint Three or more disinterested Persons for the settling and ascertaining such Matters and Things, as the said Thomas Hogard, Thomas Moore, and John Wing, are hereby impowered to settle and ascertain, within such Time or Times as the said Commissioners, or any Seven or more of them, shall see convenient, and shall specify in such Appointment; and that from and immediately after the signing and sealing of such Nomination and Appointment, the said several Persons so thereby nominated and appointed, shall be invested with the same Powers as are hereby delegated and given to the said Thomas Hogard, Thomas Moore, and John Wing, and the Award and Determination of such Persons, or any Two of them, so to be appointed as aforesaid, touching the several Matters and Things to them referred, after the same shall be authenticated in the same Manner as is herein-before directed respecting the Award of the said Thomas Hogard, Thomas Moore, and John Wing, and also entered with the Clerk of the Peace for the said County of Huntingdon, shall be binding and conclusive to the several Parties concerned therein.

In case the Persons appointed do not make their Award in Six Months, other, to be appointed.

And be it further enacted, That the Oath to be taken by the said Thomas Hogard, Thomas Moore, and John Wing, or by such other Person or Persons as shall or may be nominated as aforesaid, shall be administered in the Words, or to the Effect, following:

Oath to be taken.

I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgement, execute the Trust reposed in me by virtue of an Act, "For draining and preserving certain Fen Lands and "Low Grounds called *King's Delph and Eight Roods*, and "also other Fen Lands and Low Grounds in a certain "Place called *Farcett Fen* adjoining thereto, lying near to "the Hamlet and Village of *Farcett* and *Standground*, in "the County of *Huntingdon*," without Favour or Affection to any Person whomsoever.

So help me GOD.

Which Oath it shall and may be lawful to and for any One of the said Commissioners to administer.

Power to make a Survey.

And, to the End that the exact Quantity of Land, within the Limits described as aforesaid, may be known and ascertained, be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Five or more of them, at their First Meeting to be held after the passing of this Act, to order a Survey to be made of the said Lands by such Person or Persons as they shall think proper to appoint, and such Person or Persons so appointed shall and may, and be and they is and are hereby authorised and impowered to enter into and upon any of the Lands within the Limits aforesaid, for the Purpose of taking such Survey; and such Survey, when so made, shall be delivered to the said Commissioners, or any Five or more of them, at some One of their Meetings to be held as aforesaid, and shall be verified upon Oath by the Person or Persons so making the same, (which Oath any One of the said Commissioners is hereby impowered to administer); and such Survey so to be given in as aforesaid, and made by the Order of the said Commissioners, together with the said Award so to be made, as aforesaid,

shall be a sufficient Authority for the said Commissioners to collect the said Rates and Taxes by, and shall be binding upon the several Persons charged with the Payment thereof, for their several Lands so charged with such Payment; and such Survey being signed by the Person or Persons so making the same, and also by any Five or more of the said Commissioners present at any Meeting, together with the said Award, shall be allowed as Evidence in all Courts whatsoever.

Resurvey allowed.

Provided always, and be it enacted, That in case any Owner or Owners of the said Lands or Grounds shall think himself, herself, or themselves aggrieved by such Survey, that it shall and may be lawful for such Owner or Owners, at any Time within Three Calendar Months after such Survey shall have been delivered to the said Commissioners as aforesaid, to have his, her, or their said Lands and Grounds resurveyed by such Person as he, she, or they, together with the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, shall chuse and fix upon; and in case by such new Survey it shall appear, that such Owner or Owners shall be overcharged by such former Survey, or pay for a greater or less Quantity than the real Quantity of his, her, or their said Lands, that such Owner or Owners shall, upon such Resurvey being made and delivered in to the said Commissioners, at a Meeting to be held in pursuance of this Act, on the Oath of such Surveyor, (which Oath the said Commissioners, or any One of them, are or is hereby impowered to administer), be charged according to such new Survey; but if it shall appear on such Resurvey, that such Owner or Owners shall not be overcharged to such Rates or Assessments, then the Owner or Owners so applying shall be at the Charge of making such Resurvey; but in case by such Resurvey such Owner or Owners shall be overcharged, then the Expences of such Resurvey shall be paid and borne by the said Commissioners out of the Monies arising by virtue of this Act.

Rates or Taxes to be paid half-yearly.

And be it further enacted, That the said Rates or Taxes shall be paid Half-yearly, on the Twenty-fourth Day of June, and the Twenty-fifth Day of December, in every Year, and that the First Payment thereof shall be made on the Twenty-fourth Day of June next after the passing of this Act.

Power to distrain.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, whose Lands shall be rated or taxed by virtue of this Act, shall refuse or neglect to pay such Rate or Tax as shall be charged thereon respectively, upon a Day, and at a Place, to be appointed for the Payment thereof by the said Commissioners, or any Five or more of them, at a Meeting to be held in pursuance of this Act, publick Notice of such Day and Place of Payment being given at least Twenty-one Days previous thereto, in The Cambridge Chronicle and Journal, for that Purpose, and when that Paper shall be no longer published, in any other weekly Paper circulated in the said County of Huntingdon, and also affixed upon the Outside of the Church Doors of Standground and Farcett aforesaid; which Notice so to be given in such Paper, and affixed on such Church Doors, as aforesaid, shall be deemed and taken as publick Notice, as if Demand thereof had actually been made by the Receiver or Collector of the said Rates or Taxes, to be appointed by the Commissioners of the Person or Persons by whom such Rate or Tax is to be paid, as aforesaid; and it shall and may be lawful for the said Collector or Receiver of such Rates or Taxes, or for any other Person or Persons, by virtue of any Warrant or Precept to be signed and sealed by the said Commissioners, or any Five or more of them, at a Meeting to be held in pursuance of this Act, (which Warrant or Precept such Commissioners, or any Five 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 said Lands so rated and taxed, as aforesaid, in Possession of such Person or Persons as shall so make Default in Payment, as aforesaid, and all Messuages, Tenements, or

Buildings thereupon, standing or belonging thereunto, with their and every of their Appurtenances, and to levy the Sum or Sums of Money by him, her, or them, payable for such Rate or Tax, and the Arrears thereof, by Distress and Sale of the Goods and Chattels which shall be found on the Premises so charged with any such Rate or Tax, or the Arrears thereof, as aforesaid; and in case no sufficient Distress can be found on the Premises, then it shall and may be lawful for such Collector or Collectors, Receiver and Receivers, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy the said Tax, and all Arrears for the same, by Distress and Sale of the Goods and Chattels of the Person or Persons so making Default in Payment, as aforesaid, which shall be found in any other Place within the Kingdom of Great Britain; and the Goods and Chattels so distrained to impound on the Premises, or to take, lead, drive, carry away, impound, and keep in any other Place, for the Space of Five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuages, Tenements, Grounds, and Premises, Notice in Writing of the Cause of such Distress, and the Place where such Goods and Chattels shall be so impounded; and if the Owner or Owners of the Goods and Chattels so distrained shall not pay the Sum or Sums of Money so taxed and rated, and the Arrears thereof, as aforesaid, together with all Costs and Charges attending such Distress, or replevy the said Goods and Chattels so distrained, with sufficient Security to be given to the Sheriff of the County where such Distress shall be taken, or other Officer or Officers usually taking such Securities, according to the Laws now in being for Distresses in Cases of Nonpayment 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 Undersheriff of the County, Constable, or Headborough of the Parish or Place where such Distress shall be made, (who is and are hereby required to assist therein), cause the Goods and Chattels so distrained to be appraised by Two or more indifferent Persons to be sworn by such Sheriff,

Under-

Under-sheriff, Constable, or Headborough, (who is and are hereby impowered to administer such Oath), to appraise the same according to the best of their Judgements; and after such Appraisement it shall and may be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons, so making such Distress, to sell the Goods and Chattels so distrained, for the best Price that can be got for the same, for and towards Satisfaction of the Monies for which such Distress shall be so taken, and the Charges of taking, keeping, appraising, and selling the Goods and Chattels so distrained, leaving the Overplus (if any be) in the Hands of such Sheriff, Under-sheriff, Constable, or Headborough, for the Owner's Use; and the Tenant and Tenants of all and singular the said Lands and Grounds rated and taxed by virtue of this Act is and are hereby required and authorised to pay such Tax and Rate, and deduct the same out of his, her, and their Rent; and every Tenant paying such Tax or Rate shall be acquitted and discharged for so much Money as such Rate shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands, (except where there is a Lease for Three or more Years to come, from the Commencement of this present Act, in which Case the said Tax or Assessment shall be borne and paid by the Tenant or Tenants of the said Lands and Grounds so under Lease, as aforesaid).

Commissioners may borrow Money, not exceeding 2000 *l.*

And be it further enacted, That the said Commissioners, or any Nine or more of them, Five of whom to be Commissioners in their own Right, shall and may, and are hereby impowered, from Time to Time, to borrow any Sum or Sums of Money, not exceeding Two thousand Pounds in the Whole, which they shall think necessary for the Purposes of this Act, and, by Writing under their Hands and Seals, without any Stamp or Stamps, to assign over the yearly Rates and Taxes to be charged on the said Lands, or any Part thereof, by virtue of this Act, as a Security or Securities for any Sum or Sums of Money to such Person or Persons, or their Trustees, as shall advance and lend the same, to secure the Repayment thereof, with Interest; which Money so

borrowed, together with the Rates or Taxes charged, or to be charged, by virtue of this Act, shall be applied, in the First Place, to pay and discharge the Expences of obtaining this Act, and of settling and ascertaining the Tax to be charged on the said Lands, and also of making such Survey of the said Fen Lands and Low Grounds; and, in the next Place, in the erecting such Engines, and making such Drains and Works, for the draining, imbanking, and preserving the said Lands, as shall be thought expedient by the said Commissioners, or any Five or more of them.

No more than 100 *l.* to be borrowed on One Security.

And be it further enacted, That all Assignments of the said Tax to be made by the said Commissioners, as aforesaid, shall be numbered, beginning with Number One, and so proceeding in an Arithmetical Progression; and that no Assignment shall be made for any greater or lesser Sum than One hundred Pounds.

Securities to be assignable, and to be entered in a Book.

And be it further enacted by the Authority aforesaid, That the said Mortgages and Securities so to be made by the said Commissioners of the said Tax and Rate, shall and may be transferrable by Indorsement, witnessed by Two credible Witnesses, on the original Grant or Securities thereof, to any Person or Persons whomsoever, and the Person or Persons to whom such Assignment or Transfer shall be made, shall and may, from and after the Time that the same is entered in a Book, to be kept for that Purpose by the Clerk or Treasurer to the Commissioners, be well and sufficiently intitled to such Mortgage Monies and Interest, and all the Monies then due, and thereafter to grow due thereon; which Entries are hereby required to be made on Request and producing such Assignment, and paying Two Shillings and Sixpence to the Clerk or Treasurer to the said Commissioners for every such Entry; and such Assignee or Assignees, and every other Assignee or Assignees, shall and may, in like Manner, by Indorsement, or otherwise, assign and make over such Mortgage or Mortgages, and Securities, so assigned as aforesaid, and so toties quoties, as Occasion shall require, every such Assignment or Transfer being entered in such Book, as aforesaid.

Tax chargeable with Payment of the Principal Money, may be vested in Creditors.

Provided always, and be it enacted, That the Rate or Tax to be raised by virtue of this Act on the Lands and Grounds herein-before mentioned, shall be chargeable with the Payment of the Principal Money so to be borrowed by the said Commissioners, as aforesaid, and with the Interest of such Money, from Time to Time, and shall vest in the Creditors upon Default of Payment of such Principal Money and Interest, until the same, and every Part thereof, 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 receiving and recovering the said Tax and Rate for or in respect of such Principal Money and Interest, in case of Default in Payment thereof, as the said Commissioners, and their Collectors and Receivers, could have had, in case such Principal Money and Interest had been regularly and fully paid and satisfied, and that the said Rate or Tax shall not be lessened by the said Commissioners, or their Successors, so long as any Money shall continue on the Credit of the said Tax.

Taxes may be raised, and lowered again, if necessary.

Provided always, and be it enacted, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby impowered, at any Meeting to be held in pursuance of this Act, (after the Whole of the Money to be borrowed upon the Credit thereof, as aforesaid, shall be paid off and discharged), to lower and reduce the Rates and Taxes by this Act directed to be charged upon the said Lands, within the Limits aforesaid, in such Proportions, and according to the Rate to be made and charged on the said Lands, by the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, as aforesaid; and from Time to Time, to advance and lower the said Rates and Taxes again, in the same Proportions, so as the same shall not exceed the Rate to be made and charged by the said Thomas Hogard, Thomas Moore, and John Wing, or any Two of them, as aforesaid.

And

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority to appoint One or more Clerk or Clerks, and One or more Treasurer or Treasurers, Receiver or Receivers, or such other proper Officer or Officers, as they the said Commissioners, or any Five or more of them, shall think fit, for the taking Care of the several Works to be made in pursuance of this Act, and collecting the Rates and Assessments so charged on the said Lands, as aforesaid; and to allow and appoint to be paid thereout to such Officers such yearly or other Wages or Salaries, for their Trouble and Pains, as they the said Commissioners, or any Five or more of them, shall think reasonable; which said Clerk or Clerks, 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, at a Meeting to be held for that Purpose, pursuant to a Notice in Writing, to be signed by Three or more of the said Commissioners, and inserted in The Cambridge Chronicle and Journal, or in any other Weekly Paper circulated in the said County of Huntingdon, and also affixed on the Outside of the Church Doors of Standground and Fawcett aforesaid, at least Twenty-eight Days before such Meeting, and any other or others to appoint in his or their Stead, as Occasion shall require; and such Treasurer or Treasurers, Collector or Receivers, shall, before they act in the Execution of their respective Offices, give such Security for the Execution thereof, and for performing the Trusts to them committed, as the said Commissioners, or any Five or more of them, assembled at any such Meeting for that Purpose, shall think fit.

Commissioners may appoint Officers, and remove them, and appoint others.

Treasurers to give Security.

And be it further enacted by the Authority aforesaid, That Once in every Year, (that is to say), at either of the said Half-yearly Meetings, or on any subsequent Meeting Day, 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

Officers to account yearly.

this Act for the Year then last past; and all Accounts relating thereto shall, at such Meeting, be made up and settled by the said Commissioners, or any Five or more of them, then assembled, at which Time the Clerk, Treasurers, Collectors, and Receivers, of the said Tax or Rates, and other Officers, are hereby required to attend, with proper Books of Account of their Receipts and Disbursements, and all Vouchers for the same; and on considering and examining the said Accounts, and all other Vouchers of the Receipts and Disbursements of the Money raised and received by virtue of this Act, 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 thereof, as they shall think just and reasonable; and such Account or Accounts, or such Part or Parts thereof, as shall be so passed and allowed, as aforesaid, shall be fairly entered in Books to be kept for that Purpose; which said Books, as well as all other Books for the entering of any Orders or Proceedings of the said Commissioners, shall be kept by the Treasurer or Treasurers, or such other Person or Persons, as the said Commissioners, or any Five or more of them, shall appoint, for the Inspection of the several Owners of Lands to be rated and taxed in pursuance of this Act, or their Agents.

Accounts to be entered.

Power to compel Officers to account.

And be it further enacted by the Authority aforesaid, That all and every such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Receiver or Receivers, or other Officer or Officers, so appointed as aforesaid, shall, upon Oath, when thereunto required by the said Commissioners, or any Three or more of them, (which Oath the said Commissioners, or any One or more of them, is and are hereby impowered to administer,) give in to the said Commissioners, or any Five or more of them, a true, exact, and perfect Account, in Writing, under their respective Hands, with proper Vouchers, of all Monies which he or they, or every or any of them, shall to such Time have received, paid, and disbursed, by virtue of this Act, or by reason of their respective Office or Offices; and in case the Monies so received shall remain in his or their, or any of their Hands, the same shall

shall be paid to the said Commissioners, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall, by any Writing or Writings under their Hands, authorise and impower to receive the same: And in case any such Clerk, Collector, Receiver, Treasurer, or other Officer, shall not give in or make such Account and Payment as aforesaid, or shall refuse to deliver up all Books, Papers, and Writings, in his Custody relating to the Execution of this Act; that then any One or more Justice or Justices of the Peace for the County of Huntingdon shall and may make Inquiry of and concerning such Default, as aforesaid, in a summary Way, as well by the Confession of the Party as by the Testimony of One or more credible Witness or Witnesses, upon Oath, (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Fee or Reward); and if any such Clerk, Treasurer, Collector, Receiver, or other Officer, shall be convicted of all or any of the Offences aforesaid, such Justice or Justices shall, upon such Conviction, commit the Party to the Common Gaol of the said County of Huntingdon, until he shall have made a perfect Account and Payment as aforesaid, and delivered up all such Books, Papers, and Writings, in his Custody, or until he shall have compounded and agreed with the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, and have paid such Composition-money; which Composition the said Commissioners, or any Five or more of them, are hereby authorised and impowered to make.

Penalty on Officers refusing to account.

Provided always, and be it enacted, That all Orders and Proceedings of the said Commissioners, or any of them, at any of their Meetings to be held in pursuance of this Act, shall be entered in Books to be kept for that Purpose; and such Orders and Proceedings, so entered, shall be signed by any Five or more of the said Commissioners so assembled at such Meetings; and being so signed, shall be deemed and taken to be Originals.

Proceedings to be entered in Books.

Provided nevertheless, and be it enacted, That no Order which shall be made by the said Commissioners at any of their Meetings by virtue of this Act shall be altered, reversed, annulled, or made void, at any subsequent

Orders not to be reversed, unless Nine or more Commissioners be present.

Meeting, unless Nine or more Commissioners be present, and Seven or more of such Commissioners consenting thereto, nor unless Notice in Writing of such Meeting be published in The Cambridge Chronicle and Journal, so long as the same shall be published, or in some other Weekly Paper which shall be circulated in the said County of Huntingdon, and affixed on the Outside of the Doors of the Churches of Standground and Farcet aforesaid, at least Twenty-eight Days before such Meeting; in which Notice the Intent and Design of such Meeting shall be declared; and that every Order for the executing the Powers of this Act shall be made at a Meeting of the said Commissioners, to be held in such Manner as is herein-before appointed, and not otherwise, except only as to the granting Precepts or Warrants for levying Rates, which shall and may be granted and signed by such Commissioners in Manner herein-before directed.

Persons burning or otherwise destroying the Works, guilty of Felony.

And be it enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously burn, cut, break down, or destroy, or advise, counsel, or hire, any Person or Persons to burn, cut, break down, or otherwise destroy, any Bank, Mill, Engine, Floodgate, or Sluice, already erected, supported, maintained, or used, or hereafter to be made or erected, supported, maintained, or used, within the Limits aforesaid, for the Purposes of draining and preserving the Fens and Low Grounds within the same; every Person or Persons so offending, and being thereof convicted, shall be guilty of Felony, and subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person or Persons shall be tried and convicted shall, and hereby have Power and Authority to transport such Felon for Seven Years, in such Manner as other Felons are directed to be transported by the Laws of this Realm.

Penalty of 50*l.* on damaging, &c. the Works.

And be it further enacted, That if any Person or Persons shall wilfully and maliciously stop, dam up, break down, demolish, damage, or destroy, or cause, procure, or hire, any Person or Persons to dam up, break down, demolish,

demolish, damage, or destroy, any River Drain or Watercourse, Door, Tunnel, Dam, Bridge, Heading, or other Work or Works already made, cut, or erected, or which shall at any Time or Times hereafter be making, cutting, or erecting, or made, cut, erected, supported, maintained, or used, for answering the Purposes of draining and preserving the Lands and Grounds within the Limits aforesaid; every Person so offending, and being thereof convicted on the Oath of One or more credible Witness or Witnesses before Two or more Justices of the Peace for the County of Huntingdon, not interested therein, every such Person or Persons so convicted as aforesaid shall forfeit and pay, for every such Offence, any Sum not exceeding Fifty Pounds, nor less than Twenty Pounds; to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hand and Seal or Hands and Seals of such Justices, and to be applied and disposed of in the Improvement of the Works to be made by virtue of this Act, and not otherwise; and for want of sufficient Distress, such Offender or Offenders shall be committed by such Justices to the House of Correction of the said County of Huntingdon to hard Labour for the Space of One Calendar Month, without Bail or Mainprize, or until such Penalty shall be paid.

Commissioners may take in Water from the Rivers *Nen* and *Bevill*;

Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, to direct any Tunnels or Doors to be made for the taking Water into any of the Lands within the Limits aforesaid adjoining on the Rivers Nen and Bevill aforesaid, from and out of the said Rivers; and that such Tunnels and Doors, when so made, shall be considered as Part of the Works of the said District, and shall be under the Direction of the said Commissioners, who may give Power to their Surveyor to open and shut the same as Occasion shall require.

and Owners of Lands may take in Water from the River *Nen* by Tunnels, at their own Expence.

Provided always, and be it enacted, That it shall and may lawful to and for the Owners of any of the Lands within the Limits aforesaid, which lie contiguous to and adjoining upon the River Nen aforesaid, to make Tun-

nels for the taking in Water from out of the said River Nen, at their own Expence, into and upon their said Lands, so as the Water to be taken into their said Lands by such Tunnels shall not over-run a Gage to be placed by the said Commissioners Ten Inches below the Surface of the lowest of the said Lands into which the Water shall be taken, as aforesaid; and that when the Water over-runs the said Gage, it shall and may be lawful for the Surveyor to be appointed by the said Commissioners to stop the Water from passing through the said Tunnels; and in case the Tenants or Occupiers of any such Lands shall suffer the Water to run into and upon the same through the said Tunnels for the Space of Twenty-four Hours after the Water shall run over the said Gage, to be placed as aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings to any Person or Persons who shall sue for the same in any or either of His Majesty's Courts of Record at Westminster, together with full Costs of Suit.

Persons erecting any Horse-mill, &c. to discharge Water, other than into *Bevill's* and *Nen* Rivers, to forfeit 50*l.*

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, Gig, Engine, or other Device whatsoever, for draining or discharging Water off any of the Lands within the Limits aforesaid, 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, Gig, Engine, or other Device, into Bevill's River, or the River Nen aforesaid, every Person so discharging the said Water other than as aforesaid, shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of His Majesty's Courts of Record at Westminster, One Moiety thereof to be paid to the Person suing for the same, and the other Moiety to be paid to the Receiver or Collector for the Time being within the Limits aforesaid, and to be applied for the Purposes of draining and improving the said Lands, taxed by virtue of this Act; and the Owner of such Mill, Gig, Engine and other Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall

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

No Houses, &c. to be built on Banks near Mills,

Provided always, and be it enacted, That, from and after the passing of this Act, no Houses or other Buildings, or other Obstructions whatsoever, shall be erected or made, or Trees or Holts planted on any Lands, either within the Limits aforesaid, or on the Outside thereof, near or opposite to any Mill or Engine already built, erected, or employed, or hereafter to be built, erected, or employed, for draining the Lands and Grounds within the Limits aforesaid, nearer than Two hundred Yards: And if any Person or Persons shall build or erect any House, Barn, or other Building; or shall plant any Tree or Holt; or place, lay, or put any other Obstruction within any less Distance than Two hundred Yards; the said Commissioners, or any Five or more of them, shall have full Power and Authority, from Time to Time, at any Meeting to be held in pursuance of this Act, by Writing under their Hands and Seals, to order such Houses and Buildings, Holts and Trees, or other Obstructions, to be taken down and removed, and to cause the same to be taken down and removed accordingly; and every such Person shall forfeit and pay for every such House or Building the Sum of One hundred Pounds, to be recovered in like Manner as the Penalties herein-before mentioned for erecting Horse-mills, Gigs, Engines, or other Devices for throwing off Water; and for every Tree the Sum of Twenty Shillings; and Twenty Pounds for every Holt or other Obstruction so planted, laid, or placed, contrary to this Act; which said Forfeitures of Twenty Shillings and Twenty Pounds shall, upon Conviction of the Offender or Offenders before One or more Justice or Justices of the Peace for the said County of Huntingdon, not interested in the Premises, upon the Oath of One or

on Penalty of 100 *l.* &c.

more credible Witness or Witnesses, (which Oath the said Justice or Justices is and are hereby impowered and required to administer, and also to hear and determine the said Complaints), be immediately paid into the Hands of the Treasurer, to be applied in carrying on the Works of the said Drainage; and in case of Nonpayment of such Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, 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 want of sufficient Distress such Offender shall by such Justice or Justices be committed to the House of Correction for the said County of Huntingdon, there to be kept to hard Labour for such Time as the said Justice or Justices shall order and direct, not exceeding Three Calendar Months, or until such Penalty shall be paid.

Commissioners may cut down Trees or Holts already planted near Mills.

Provided always, and be it enacted, That if any Trees or Holts are now growing either in or beyond the Limits of this Act, within the Distance of Two hundred Yards from any Mill or Engine already built, or hereafter to be built, within the Limits aforesaid, it shall and may be lawful for the said Commissioners, or any Five or more of them, by like Order under their Hands and Seals, to order the same to be cut up and pulled down as if the same had been planted after the passing of this Act, making such Satisfaction to the Owners of such Trees and Holts as shall be agreed upon between such Owner and the said Commissioners, or any Five or more of them respectively; and in case any Difference or Dispute shall arise between the said Commissioners and such Owner touching such Satisfaction, and the same cannot be settled between them, then such Recompence and 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 Damage by making and erecting any Work in pursuance of this Act.

Owners, &c. to cleanse Dikes, &c.

And be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers, of any Land lying within the Limits aforesaid through which any Drove-way Dike, Outring Dike, or Division Dike,

Dike, leading to any of the Mill Drains within the said Limits doth or shall pass, shall neglect or refuse sufficiently to road, scour, cleanse, open, or repair, any such Dike, or to make the same of the Depth of Four Feet and an Half, and of the Width of Nine Feet at the least; and if any such Owner or Owners of any such Land shall neglect or refuse sufficiently to road, scour, cleanse, open, or repair, the inner Dikes belonging to their respective Lands, or to make the same of the Depth of Four Feet and an Half, and of the Width of Eight Feet, after Twenty-one Days Notice in Writing to him, her, or them given, from Time to Time, by the Surveyor for the Time being for that Purpose, that then it shall be lawful, from Time to Time, for such Surveyor to cause such Dikes to be roaded, scoured, cleansed, opened, repaired, and deepened, in a sufficient Manner, and made of the Width aforesaid, at the proper Costs, Charges, and Expences, of such Owners or Occupiers; and that wherever a Road or Way shall have been made over or across any such Dikes without a sufficient Tunnel lying therein, to cause such Ways or Roads to be taken up, and Tunnels to be made in such Dikes of the Width and Depth of the said Dikes, for the better conveying the Waters through the same to the several Mills erected, or to be erected, for draining the said Lands or Grounds, and, by a Warrant or Precept under the Hands of Five or more of the said Commissioners, to levy, by Distress and Sale, all such Charges and Expences as shall be occasioned by the deepening and widening the said Dikes, or taking up the said Roads, on the Owner or Owners, Occupier or Occupiers, of the Lands through which the said Dikes shall pass, or to which they shall be contiguous, and who shall make, or cause to be made, such Road as aforesaid, in such Manner as is herein-before directed for the levying and receiving the said Tax and Rate charged on the said Lands.

and in case of Neglect, Surveyors to do it at the Owner's Expence.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, to appoint a Person for catching

Commissioners may appoint a Mole-catcher.

catching of Moles on any of the tarable Lands within the Limits aforesaid, and to allow such Person a Salary for that Purpose, to be paid by the Treasurer out of the Money to be raised by virtue of this Act; and that it shall and may be lawful for such Person so to be appointed, for and during the Time that he shall be so employed to catch Moles, to enter into and upon the said Lands, or any Part thereof, and to make use of the necessary Devices for the taking and destroying such Vermin.

Engines and Mills to be insured.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, shall and may order and direct their Treasurer to cause the Engines and Mills, which shall be erected and employed by virtue of this Act, to be insured against Fire in some or One of the publick Insurance Offices, and, from Time to Time, to pay the Expence attending such Insurances out of the Money arising by virtue of this Act.

This Act not to be given in Evidence touching the local Scite of the Lands.

Provided always, and be it enacted, That nothing in this Act contained shall be given in Evidence, or shall extend, or be construed to extend, or made use of, in any Action, Bill, Plaint, or Suit, already or hereafter to be commenced or prosecuted in any Court or Courts of Law or Equity, or in any Ecclesiastical Court whatsoever, within the Kingdom of Great Britain, touching and concerning the local Scite only of the Lands comprised within the Limits aforesaid, or any Part thereof.

Twelve Foot Drain belonging to Sir *Sampson Gideon* vested in the Commissioners.

And whereas, in order that the Drainage may be more complete, and the said District not cut into Waste by carrying the principal Mill Drain through the Centre of the said District, Sir Sampson Gideon Baronet, Owner and Proprietor of the said Adventurer's Lands, hath consented and agreed, that the said Twelve Foot Drain or Dike, dividing his said Lands from the Lands intended to be drained, by virtue of this Act, from the South east End of a certain Drove called Froghall Drove, (where a Dam and Heading is intended to be made, kept up, repaired, and maintained, at the Costs and Charges of the said Commissioners, to the North Bank of Bevill's River aforesaid,) shall, in consideration thereof, and that the

said Drain shall for ever after the passing of this Act be deemed and taken as a Work of the said Commissioners, and be supported and maintained at the sole Costs and Charges of the said Commissioners; and that the said Commissioners shall not, by virtue of any Power given them by this present Act, have any Power or Authority over the Banks, Trays, Headings, or other Works of the said Sir Sampson Gideon lying next unto the said Twelve Foot Drain, or any Power to cut or take away any Earth from or out of the Lands of the said Sir Sampson Gideon, for the repairing of any of the Works of the said Commissioners under or by virtue of this Act; be it enacted by the Authority aforesaid, That the said Drain or Dike called Twelve Foot Dike, shall, from and after the passing of this Act, be for ever vested in the said Commissioners, and their Successors, freed and discharged from any Power, Controul, Right, Title, or Property, of the said Sir Sampson Gideon, his Heirs or Assigns, in, to, or upon the same, and shall from thenceforth be deemed and taken as Part of the Works of the said District.

Commissioners not to have Power over *Adventurer's Land.*

Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to give any Power or Authority whatsoever to the said Commissioners, or their Successors, over any of the Banks, Drains, or Works, of the said Sir Sampson Gideon, his Heirs and Assigns, in respect to the said Adventurer's Land, or for the cutting or taking any Earth or other Materials therefrom, on any Occasion whatsoever, except as herein-after is excepted.

Commissioners to repair *Twelve Foot Drain.*

And be it further enacted by the Authority aforesaid, That the said Commissioners, and their Successors, shall, from Time to Time, and at all Times for ever after the passing of this Act, at their own Costs and Charges, repair, maintain, and uphold, and keep in Repair the said Drain called The Twelve Foot Drain, and Headings thereon, in good and sufficient Repairs, as and for a mill Drain, for the Benefit of the said District, and shall for ever after the passing of this Act exonerate the said Sir Sampson Gideon, his Heirs and Assigns, Owners and Proprietors of the said Adventurer's Lands, or any other future Owner or Owners thereof, his, her, or

their

their Heirs or Assigns, of and from the Repairs thereof; any Thing in this Act contained to the Contrary thereof notwithstanding.

Owners of *Adventurer's Lands* not to cut into *Twelve Foot Drain.*

And be it further enacted, That from and after the passing of this Act, the said Sir Sampson Gideon, his Heirs and Assigns, or any future Owner or Owners of the said Adventurer's Lands, shall not cut or open the Banks of the said Adventurer's Lands lying next the said Twelve Foot Drain, or work, use, or employ any Mill, Gig, Engine, or other Device, for draining the said Adventurer's Lands, or any Part thereof, into the said Twelve Foot Drain, on any Pretence whatsoever, but shall for ever after the passing of this Act be excluded therefrom.

Sir *Sampson Gideon*, &c. to keep up the Banks of the *Adventurer's Lands.*

Provided always, and be it enacted, That in case the said Sir Sampson Gideon, his Heirs and Assigns, or any future Owner or Owners of the said Adventurer's Lands, his, her, or their Agent or Agents, Tenant or Tenants, shall, at any Time after the passing of this Act, cut any Part of the said Bank on the said Adventurer's Lands, lying next the said Twelve Foot Drain, so far as the same runs against the Lands intended to be drained by virtue of this Act, or suffer any Cuts or Breaches to be made therein, that it shall and may be lawful for the Commissioners under this Act, or any Five or more of them, to give Notice in Writing to the Agent or Tenants of the said Sir Sampson Gideon, his Heirs or Assigns for the Time being, that such Cut or Breach is made therein; and in case such Agent or Tenants shall neglect or refuse to make up or stop such Breach or Breaches as aforesaid, within Two Days after such Notice, it shall and may be lawful for the said Commissioners, or any Five or more of them, to direct their Officer to go upon the said Adventurer's Lands, with such Workmen as they shall think proper, and to take Earth for the stopping such Cuts or Breaches out of the said Adventurer's Lands, at the Costs and Charges of the Tenant or Tenants of the said Sir Sampson Gideon, his Heirs or Assigns, Owners of the said Adventurer's Lands, or the Tenant or Tenants of any future Owner or Owners thereof; any Thing to the Contrary notwithstanding.

And

And be it enacted, That no Order, Nomination, Appointment, Mortgage, Assignment, or other Security, for the borrowing of Money, Contract, Agreement, Information, Conviction, Judgement, Warrant, or other Writing, under the Hand or Hands, Hand and Seal, or Hands and Seals, of any Commissioner or Commissioners, Justice or Justices of the Peace, or exhibited before any of them, in pursuance of any of the Powers or Authorities by this Act vested in such Commissioners, Justice or Justices of the Peace, nor any Transfer of any Mortgage Security, nor any Bond taken from any Officer, or his Sureties, in pursuance of this Act, for the due Execution of his Office, nor any other Writing whatsoever, concerning the Execution of this Act, shall be charged or chargeable with any Stamp-duty. Writings to be without Stamps.

And it is hereby further enacted and declared, That all the pecuniary Fines, Penalties, and Forfeitures, hereby inflicted, or authorised to be imposed, the Recovery whereof is not herein-before directed, shall be recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant and Warrants under the Hand and Seal, or Hands and Seals, of any Justice or Justices of the Peace for the said County of Huntingdon, who is and are hereby impowered and authorised to act in the Premises, and also to hear and determine all other Complaints hereby referred to, and made cognizable by any Justice or Justices of the Peace for the said County, and to issue such Warrant and Warrants as is and are hereby required or necessary to be granted or issued by any Justice or Justices of the Peace for any the Purposes in this Act contained; and in case sufficient Distress shall not be found, it shall be lawful for any such Justice to commit such Offender or Offenders to the Common Gaol of the said County of Huntingdon, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until the Penalty shall be paid, or otherwise compounded for; which Composition the said Commissioners, or any Five or more of them, are hereby impowered to make; and that all such Fines, Penalties, and Forfeitures, and Com- Penalties and Forfeitures how to be recovered and applied.

position-monies, or any Part or Parts thereof, which are not herein-before directed to be applied, shall be paid into the Hands of the Treasurer or Treasurers to the said Commissioners, and applied for the Purposes of this Act.

Persons aggrieved may apply to the next Session.

And be it further enacted, That all Persons who shall think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace, upon account of any Offence committed, or supposed to be committed, against this Act, or any Penalties to be levied by virtue thereof, may appeal to the Justices of the Peace for the said County of Huntingdon, at the next or Second General or Quarter-sessions of the Peace to be held for the County, within Six Calendar Months after the Cause of such Appeal shall happen, the Person or Persons so appealing first entering into a Recognizance, with Two sufficient Sureties, to the Satisfaction of the said Justice or Justices, to prosecute such Appeal with Effect, and pay the Costs which shall be ascertained by the said Justices, in the said General or Quarter-sessions, in case such Order and Judgement shall be affirmed; and the said Justices, in their said General or Quarter-sessions, are hereby authorised and required to hear and determine such Appeal, and give such Costs to either Party as they shall think reasonable, and to make such Order therein as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed or removable by any Writ of Certiorari, or otherwise, into any of His Majesty's Courts of Record at Westminster, or elsewhere.

Proceedings not to be quashed for want of Form.

And be it further enacted, That no Order or other Proceeding to be made or had by or before any Justice or Justices of the Peace, by virtue of the Powers by this Act granted, shall be quashed or vacated for want of Form only.

Distress not to be deemed unlawful for want of Form;

And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in the Summons,

Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in any Action upon the Caſe.

nor the Party diſtraining a Treſpaſſer *ab initio*.

And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; videlicet,

Conviction to be drawn in the following Form.

BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.* One of His Majeſty's Juſtices of the Peace for the by virtue of an Act, made in the Thirteenth Year of the Reign of His Majeſty King *George* the Third, "For draining and preſerving certain Fen Lands and Low Grounds called *King's Delph and Eight Roods*, and alſo other Fen Lands and Low Grounds in a certain Place called *Farcett Fen*, adjoining thereto, lying near to the Hamlet and Village of *Farcett* and *Standground*, in the County of *Huntingdon*," *(ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be)*.

Given under my Hand and Seal, the Day and Year aforeſaid.

Provided always, and be it 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 Five or more of them, to have, uſe, or exerciſe, any Power or Authority over, or to intermeddle with any of the Sewers, Drains, or Works, already made, or hereafter to be made, by the

Reſerving the Rights of the Corporation of *Bedford Level*.

Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, called Bedford Level, by virtue of an Act of Parliament, made in the Fifteenth Year of the Reign of King Charles the Second, (intituled, An Act for settling the Drainage of the Fens called *Bedford Level*), or by virtue of any 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 said Fifteenth Year of the said King Charles the Second, or any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs, and Commonalty, or 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 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; save and except the repairing and keeping in Repair the said Banks of Bevill's River, and the River Nen aforesaid.

Saving the Rights of the Commissioners of *Salter's Load Sluice* Navigation.

Provided always, and be it enacted 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 of the Commissioners acting under or by virtue of an Act of Parliament, passed in the Twenty-seventh Year of the Reign of his late Majesty King George the Second, (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 *Nen* in the Parish of *Ramsey*, in the said County of *Huntingdon*.)

Limitation of Actions.

And be it 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 committed, and not afterwards, and shall be laid or brought in the particular County or Liberty where such Offence shall be supposed to have been done, 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 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 be done, was done in Pursuance and by Authority of the said 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, Liberty, 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 Nonsuit, or forbear Prosecution, or discontinue his, her, or their Suit or Suits; or if any Verdict shall pass against him, her, or them, upon Demurrer, or otherwise; then, and in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, for which he, she, or they shall have the like Remedy as where Costs by Law are awarded. General Issue. Treble Costs.

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. Publick Act.

FINIS.