ANNO TRICESIMO SEXTO

Georgii III. Regis.

***

Preamble.



WHEREAS there are within the Manor and Parish of *Ramsey*, in the County of *Huntingdon*, certain Commons and Waste Grounds, called *The Hern Common*, and *Gore Common*, containing by Estimation Five hundred and twenty Acres, or thereabouts: And whereas *William Fellowes* Esquire, is Lord of the Manor of *Ramsey* with the Members, and Lay Appropriator of the Tythes of the said Parish of *Ramsey*: And whereas the said Commons and Waste Grounds are, in their present State, incapable of any considerable Degree of Improvement, and the several Proprietors thereof are desirous that the same may be divided, allotted, and inclosed, and specific Shares allotted to the several Proprietors in lieu of and in Proportion to their several and respective Rights and Interests therein: And whereas the said Commons and Waste Grounds are frequently overflowed with Water, for Want of a proper Drainage; but as such Division, Allotment, Inclosure, and Drainage, cannot be effected and carried into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Edward Hare* of *Castor*, in the County of *Northampton*, *George Maxwell* of *Fletton*, in the County of *Huntingdon*, and *Charles Marion Welstead* of *Kimbolton*, in the said County of *Huntingdon*, Gentlemen, and their Successors, to be elected in Manner hereinafter mentioned, shall be, and they are hereby appointed Commissioners for dividing, allotting, and enclosing, the said Commons and Waste Grounds, and for carrying this Act into Execution; and that all Acts, Matters, and Things, directed to be done and executed by the said Commissioners for Inclosure, in pursuance of this Act, may be done and executed by any Two of them, and the same shall be as good, valid, and effectual, and shall have the same Force and Effect as if such Acts, Matters, and Things, had been done and executed by all the Commissioners herein-before named, or appointed as herein-after mentioned.

Commissioners appointed.

Commissioners appointed in case of Death, or Refusal to act.

II. And be it further enacted, That when and so often as any Commissioner or Commissioners for Inclosure, herein nominated or appointed, shall die, or refuse or neglect to act in the Execution of this Act for the Space of One Calendar Month after he or they shall have received Notice in Writing from any Person or Persons interested in the said Division, Allotment, and Inclosure, that he or they has or have been nominated or elected a Commissioner or Commissioners for carrying this Act into Execution, then and in every such Case the surviving or remaining Commissioners or Commissioner for Inclosure shall, within One Calendar Month after such Death, Refusal, or Neglect, by Writing under their or his Hands and Seals, or Hand and Seal, appoint another Commissioner for Inclosure, not interested in the said Lands and Grounds, in the Room or Stead of every Commissioner for Inclosure so dying, refusing, or neglecting to act as aforesaid; and every such new Commissioner for Inclosure so to be appointed as aforesaid shall have such and the like Powers and Authorities for putting this Act in Execution as if he had been nominated a Commissioner for Inclosure by this Act.

III. And

III. And be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act with reſpect to ſuch Diviſion, Allotment, and Incloſure, (otherwiſe than for the Purpoſes of giving Notice of the Firſt Meeting of the ſaid Commiſſioners, and of adminiſtering the Oath to each other), until he ſhall have taken and ſubſcribed the Oath following; (that is to ſay), Commiſſioners to take and ſubſcribe an Oath before they act.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Judgement, hear and determine all ſuch Matters and Things as ſhall be brought before me as a Commiſſioner, by virtue of an Act, intituled, *An Act for dividing, allotting, incloſing, draining, and preſerving, certain Commons and Waſte Grounds, called* The Hern Common, *and* Gore Common, *within the Manor and Pariſh of* Ramſey, *in the County of* Huntingdon; *and for repealing an Act, made in the Thirtieth Year of the Reign of His late Majeſty King* George *the Second, intituled,* 'An Act for draining and preſerving certain Fen Lands and Low Grounds, *in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Farceitt, Standground, *and* Water Newton, *in the County of* Huntingdon, *and of* Doddington, *in the* Iſle of Ely, *and County of* Cambridge, *and for making more effectual Proviſion for thoſe Purpoſes*', without Favour or Affection to any Perſon or Perſons whomſoever.

'So help me GOD.'

Which Oath it ſhall and may be lawful for any One of the ſaid Commiſſioners for Incloſure to adminiſter, and they are hereby ſeverally required to adminiſter the ſame to each other; and the ſaid Oath, ſo taken and ſubſcribed by each Commiſſioner for Incloſure, and the Oath herein-after directed to be taken and ſubſcribed by the Surveyor or Surveyors by them employed, ſhall be inſerted in, and made Part of the Award herein-after directed to be made.

IV. And be it further enacted, That all the ſaid Commons and Waſte Grounds ſhall be ſurveyed and admeaſured, and a Valuation made of the ſame, by ſuch Perſon or Perſons as the ſaid Commiſſioners for Incloſure ſhall appoint to ſurvey and meaſure the ſame; and that the Surveyor or Surveyors ſo to be appointed ſhall receive ſuch Gratuity for his or their Pains therein as the ſaid Commiſſioners for Incloſure ſhall order and direct; and ſuch Survey and Admeaſurement ſhall be reduced into Writing, and the exact Quantity of the ſaid Lands, Commons, and Waſte Grounds, with the Abuttals thereof, ſhall be therein aſcertained and expreſſed; and the ſaid Survey and Admeaſurement ſhall be laid before the ſaid Commiſſioners for Incloſure, as ſoon as conveniently may be after the ſame ſhall be completed, to be by them kept and made uſe of for the Purpoſes of this Act; and ſuch Surveyor or Surveyors, and alſo the ſaid Commiſſioners for Incloſure, and every of them, together with their Servants, or Perſons employed by them, ſhall, and they hereby have full and free Liberty and Power, at all Times after the paſſing of this Act, and before the Execution of the Award to be made by the ſaid Commiſſioners for Incloſure, as herein-after directed, and afterwards, if Occaſion ſhall require, to enter into and upon the ſaid Lands, Commons, and Waſte Grounds, to view, examine, admeaſure, value, ſtake, and mark out the ſame, and every or any Part thereof. Survey to be made.

Surveyors Oath.

V. And be it further enacted, That no Perſon ſhall be capable of acting as a Surveyor, in purſuance of this Act, until he ſhall have taken and ſubſcribed the Oath following; (that is to ſay),

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Judgement, make a true and diſtinct Survey and Valuation of all the Commons called *The Hern Common* and *Gore Common*, in the Manor and Pariſh of *Ramſey*, in the County of *Huntingdon*, or ſuch Part thereof as I ſhall be employed to ſurvey and value, and lay the ſame before the Commiſſioners for Inclоſure appointed to put in Execution an Act, intituled, *An Act for dividing, allotting, incloſing, draining, and preſerving certain Commons and Waſte Grounds, called* The Hern Common *and* Gore Common, *within the Manor and Pariſh of* Ramſey, *in the County of* Huntingdon; *and for repealing an Act, made in the Thirtieth Year of the Reign of His late Majeſty King* George *the Second, intituled,* 'An Act for draining and preſerving certain Fen Lands and Low Grounds, *in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Farceitt, Standground, *and* Water-Newton, *in the County of* Huntingdon, *and of* Doddington, *in the* Iſle of Ely, *and County of* Cambridge, *and for making more effectual Proviſion for thoſe Purpoſes.*'

'So help me GOD.'

Which Oath it ſhall be lawful for any One of the ſaid Commiſſioners for Incloſure to adminiſter, and he is hereby authorized and required to adminiſter the ſame accordingly.

Commiſſioners to give Notice of Meeting.

VI. And be it further enacted, That the ſaid Commiſſioners for Incloſure ſhall cauſe Notice to be given in the Pariſh Church of *Ramſey*, on ſome *Sunday* immediately after Divine Service, or upon the Door of the ſaid Church, and by publick Advertiſement in the *Cambridge Chronicle* (if then publiſhed) of the Time and Place of their Firſt and every other Meeting for the Execution of this Act, at leaſt Ten Days before any ſuch Meeting ſhall be held (Meetings by Adjournment only excepted); and the ſaid Commiſſioners for Incloſure ſhall and may adjourn themſelves from Time to Time, as they ſhall ſee Occaſion, for the further Execution of this Act: Provided always, that if at any Time it ſhall ſo happen that no more than One of the ſaid Commiſſioners for Incloſure ſhall attend at the Time and Place appointed for any Meeting to be held as aforeſaid, ſuch Commiſſioner for Incloſure may adjourn ſuch Meeting to ſuch Time and Place, within the ſaid Pariſh of *Ramſey*, as he ſhall think moſt convenient, not exceeding Twenty-one Days from the Day of making ſuch Adjournment (the Commiſſioner for Incloſure making ſuch Adjournment giving timely Notice thereof to the abſent Commiſſioners for Incloſure).

Commiſſioners Allowance.

VII. And be it further enacted, That the Sum of Two Pounds Two Shillings, and no more, ſhall be paid to each of the ſaid Commiſſioners for Incloſure as a Recompence for their Trouble and Expence each and every Day they ſhall neceſſarily attend for the Purpoſes of carrying this Act into Execution.

Claims to be delivered at the Firſt or

VIII. And be it further enacted, That all and every Perſon and Perſons having or claiming to have any Eſtate or Property, or any Right of

Sheepwalk, Shackage, or Common, or other Right or Intereſt whatſoever, in, to, over, or upon, the Commons and Waſte Grounds hereby directed to be divided, allotted, and incloſed, or any Part thereof, ſhall, by themſelves, their Guardians, Truſtees, Agents, or Tenants, and they are hereby reſpectively required, at the Firſt or Second Meeting of the ſaid Commiſſioners for Incloſure to be held in purſuance of this Act, to deliver in Writing to the ſaid Commiſſioners for Incloſure a true and juſt Account of their reſpective Claims, Rights, and Intereſts in, to, over, or upon the ſaid Lands and Grounds hereby directed to be divided, allotted, and incloſed, or any Part or Parts thereof; and that no ſuch Accounts or Claims ſhall be received by the ſaid Commiſſioners for Incloſure after ſuch their Second Meeting, except for ſome ſpecial Cauſe to be allowed by them; and all and every Perſon and Perſons neglecting or refuſing to deliver ſuch Accounts as aforeſaid ſhall be, and is and are hereby excluded and debarred from any Right of Sheepwalk, Common, Shackage, or any other Commonable Right or Intereſt whatſoever, in, to, over, or upon the ſaid Commons, and Waſte Grounds, or in, to, over, or upon the Lands and Grounds belonging, or to be aſſigned or allotted to any other Perſon or Perſons by virtue of or under this Act; and if any One or more of the ſaid Owners and Proprietors, or other Perſons intereſted in the ſaid intended Diviſion and Allotments, ſhall have any Objection or Objections to the ſaid Accounts or Claims, or any of them, ſuch Objection or Objections ſhall be reduced into Writing, and delivered to the ſaid Commiſſioners for Incloſure, or to ſuch other Perſon or Perſons, and in ſuch Manner, and at ſuch Time or Times as the ſaid Commiſſioners for Incloſure ſhall appoint.

Second Meeting of the Commiſſioners.

IX. And be it further enacted, That if any Diſpute or Difference ſhall ariſe between any of the Parties intereſted or claiming to be intereſted in the ſaid intended Diviſion and Allotments, touching or concerning the reſpective Rights, Intereſts, Shares, and Proportions which they or any of them ſhall claim to have of and in the Lands and Grounds hereby directed to be divided and allotted, or touching any Timber, Wood, Buſhes, Thorns, Whins, or Furze growing thereon, or any Part thereof, or touching or concerning any other Matter or Thing relating to the ſaid Diviſion and Allotments, it ſhall and may be lawful to and for the ſaid Commiſſioners for Incloſure, and they are hereby authorized and required, as well by Examination of Witneſſes upon Oath (which Oath any One of the ſaid Commiſſioners for Incloſure is hereby empowered to adminiſter) as upon any other proper and ſufficient Evidence, to examine into, and hear and determine the ſame.

Commiſſioners to ſettle Differences.

X. Provided always, and be it enacted, That in caſe any Perſon or Perſons intereſted, or claiming to be intereſted in the ſaid intended Diviſion, Allotment, and Incloſure, ſhall be diſſatisfied with any Determination of the ſaid Commiſſioners for Incloſure touching or concerning any Claim or Claims of Common, or other Rights or Intereſts in, over, or upon the Lands and Grounds hereby directed to be divided, allotted, and incloſed, or any Part thereof, it ſhall and may be lawful to and for ſuch Perſon or Perſons to proceed to a Trial at Law of the Matter ſo determined by the ſaid Commiſſioners for Incloſure, at the then next or at the following Aſſizes to be holden for the ſaid County of *Huntingdon*; and for that Purpoſe the Perſon or Perſons making ſuch Claim or Claims ſhall cauſe

Allowing a Trial at Law to ſettle Claims.

cauſe an Action to be brought on a feigned Iſſue againſt the Perſon or Perſons objecting to ſuch Claim or Claims, within Twelve Calendar Months after ſuch Determination of the ſaid Commiſſioners for Incloſure; and the Defendant or Defendants in ſuch Action ſhall, and he, ſhe, or they is and are hereby required to name an Attorney or Attornies who ſhall appear thereto, or file Common Bail, and accept one or more Iſſue or Iſſues, whereby ſuch Claim or Claims, or the Rights thereby inſiſted upon, may be properly tried and determined (ſuch Iſſue or Iſſues to be ſettled by the proper Officer of the Court in which the ſaid Action ſhall be commenced, in caſe the Parties ſhall differ about the ſame), and that after ſuch Trial the ſaid Commiſſioners for Incloſure ſhall, and they are hereby required to act in Conformity to the Verdict thereupon given, and to allow or diſallow the Claim or Claims thereby determined according to the Event of ſuch Trial.

Commiſſioners may ſummon Witneſſes.

XI. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners for Incloſure, and they are hereby required, from Time to Time as they ſhall ſee Occaſion, by any Writing under their Hands, to ſummon and require any Perſon or Perſons, to appear before them at any Time and Place within the ſaid Pariſh of *Ramſey*, in ſuch Writing mentioned, and there to teſtify the Truth upon Oath touching any Matter in Difference between any of the ſaid Proprietors or Perſons intereſted, or concerning any Matter or Thing relating to the Premiſes, wherein any Doubt or Difficulty ſhall occur to the ſaid Commiſſioners for Incloſure, and to cauſe a Duplicate or Copy of ſuch Writing to be delivered to ſuch Perſon required to teſtify, or left at his or her laſt Place of Abode; and in caſe any Perſon having been ſo ſummoned as aforeſaid, and having been paid or tendered a ſufficient Sum of Money (to be aſcertained by the ſaid Commiſſioners for Incloſure) to defray the Charges of his Attendance, ſhall, without any juſt and reaſonable Excuſe, neglect or refuſe to appear before the ſaid Commiſſioners for Incloſure, purſuant to ſuch Summons in Writing, or ſhall refuſe to be ſworn, or to be examined and give Evidence touching the Premiſes, it ſhall and may be lawful to and for any Juſtice of the Peace for the County of *Huntingdon*, upon due Proof thereof made before him upon the Oath of any credible Witneſs (which Oath the ſaid Juſtice is hereby empowered to adminiſter), by Warrant under his Hand and Seal to cauſe any Sum of Money not exceeding Five Pounds, nor leſs than Twenty Shillings, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo neglecting or refuſing to appear and give Evidence, rendering the Overplus (if any) upon Demand, to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale; and the Money ſo to be levied as aforeſaid ſhall be applied towards defraying the Coſts and Charges of obtaining and executing this Act; and if any Perſon on his or her Examination upon Oath before the ſaid Commiſſioners for Incloſure ſhall wilfully and corruptly give falſe Evidence, ſuch Perſon ſo offending, and being thereof duly convicted, ſhall be and is hereby declared to be ſubject and liable to ſuch Pains and Penalties as by any Law now in being, Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

Perſons giving falſe Evidence to be puniſhed.

Commiſſioners to aſſeſs Coſts.

XII. And be it further enacted, That in caſe the ſaid Commiſſioners for Incloſure ſhall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections to be delivered to them in purſuance of this Act, ſee Cauſe to award any Coſts, it ſhall and may be lawful to and for the ſaid Commiſſioners for Incloſure, and they are hereby empowered, upon Application made to them for that Purpoſe, to ſettle, aſſeſs, and award ſuch Coſts and Charges as they ſhall think reaſonable, to be paid to the Party or Parties in whoſe Favour any Determination of the ſaid Commiſſioners for Incloſure ſhall be made, by the Perſon or Perſons whoſe Claim or Claims, Objection or Objections, ſhall be thereby diſallowed or over-ruled; and in caſe the Perſon or Perſons who ſhall be liable to pay ſuch Coſts and Charges ſhall neglect or refuſe to pay the ſame on Demand, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners for Incloſure, and they are hereby authorized and required, by Warrant under their Hands and Seals, directed to any Perſon whomſoever, to cauſe ſuch Coſts and Charges to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay the ſame rendering the Overplus (if any) upon Demand to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, after deducting the Coſts and Charges attending ſuch Diſtreſs and Sale.

Commiſſioners not to determine Titles.

XIII. Provided always, That nothing in this Act contained ſhall authorize the ſaid Commiſſioners for Incloſure to determine the Title to any Meſſuages, Lands, or Tenements whatſoever.

Roads.

XIV. And be it further enacted, That the ſaid Commiſſioners for Incloſure ſhall, in the Firſt Place, ſet out and appoint ſuch publick and private Roads and Ways, and ſhall order and direct ſuch Bridges, Ditches, Overfalls, Banks, Stiles, Gates, Bars, Inlets, Outlets, Drains, Watercourſes, and other Works, to be erected and made within the ſaid Commons and Waſte Grounds, as they ſhall think neceſſary and proper, ſo that all new publick Roads ſo to be ſet out and appointed as aforeſaid, except Bridle Roads and Foot Ways, in caſe any ſuch ſhall be ſet out, ſhall contain Forty Feet between and excluſive of the Ditches, and ſo that all the ſaid Roads ſhall be well and ſufficiently fenced out on both Sides, in ſuch Manner and within ſuch Time as the ſaid Commiſſioners for Incloſure ſhall direct and appoint; and that it ſhall not be lawful for any Perſon to erect any Gate acroſs any of the ſaid publick Roads, or to plant any Trees in or near the Hedges on the Sides thereof at a leſs Diſtance from each other than Fifty Yards; and after ſuch publick Roads ſhall have been ſet out as aforeſaid, the ſaid Commiſſioners for Incloſure ſhall, and they are hereby required, by Writing under their Hands, to appoint ſome proper Perſon to be Surveyor thereof, and ſuch Surveyor ſhall cauſe the ſaid new Roads to be formed and put in good and ſufficient Repair, and ſhall be allowed ſuch Salary or Reward for his Trouble therein as the ſaid Commiſſioners for Incloſure ſhall, by Writing under their Hands, direct and appoint, which Salary or Reward, and alſo the Expences (over and beſides the Statute Duty) of forming the ſaid new Roads, and of putting the ſame in good and ſufficient Repair, ſhall be borne and paid by the ſeveral Perſons who are hereby charged with, or made liable to the Coſts, Charges, and Expences of obtaining and executing this Act, and

ſhall be raiſed by a Rate to be laid on ſuch Perſons reſpectively, according to the Annual Value of their reſpective Eſtates within the ſaid Pariſh of *Ramſey*, ſuch Rate to be made and aſſeſſed by the ſaid Commiſſioners for Incloſure, either before or after the Execution of the ſaid Award, or by any Juſtice of the Peace for the County of *Huntingdon*, upon Application made for that Purpoſe by the ſaid Surveyor, and to be collected and received by ſuch Perſon or Perſons as the ſaid Commiſſioners for Incloſure, or Juſtice, by whom ſuch Rate ſhall be made and aſſeſſed, ſhall by Writing appoint; and that none of the Inhabitants of the ſaid Pariſh of *Ramſey* (other than the ſeveral Perſons who are intereſted in the ſaid intended Diviſion, Allotment, and Incloſure) ſhall be charged or chargeable (over and above the Statute Duty) towards the forming or repairing ſuch new publick Roads, until the ſame ſhall be made fit for the Paſſage of Travellers and Carriages, and ſhall have been certified ſo to be by ſuch Surveyor by Writing under his Hand, to be delivered to the Juſtices at ſome Quarter Seſſions of the Peace to be holden for the ſaid County, and ſuch Certificate ſhall have been allowed and confirmed by them, which ſaid Certificate ſhall be delivered to the ſaid Juſtices at their Quarter Seſſions to be holden next after the ſaid new Roads ſhall be formed and put in Repair as aforeſaid, and within the Space of Two Years next after the Execution of the ſaid Award, unleſs ſufficient Reaſon be given, to the Satisfaction of the ſaid Juſtices, that a further Time is neceſſary for that Purpoſe, in which Caſe the ſaid Juſtices may, and they are hereby empowered to allow ſuch further Time for the Delivery of the ſaid Certificate as they ſhall think proper, not exceeding One Year; and in caſe the ſaid Surveyor ſhall neglect or refuſe to deliver the ſaid Certificate within the Time before limited, ſuch Surveyor ſhall forfeit and pay the Sum of Twenty Pounds, to be recovered by Diſtreſs and Sale of his Goods and Chattels, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County, rendering the Overplus (if any) to the ſaid Surveyor, after deducting the Charges and Expences of ſuch Diſtreſs and Sale; and ſuch Penalty, when recovered, ſhall be applied in Aid of the Rate to be made as aforeſaid; and that, from and after ſuch Certificate ſhall have been delivered to the ſaid Juſtices by the ſaid Surveyor as aforeſaid, and ſhall have been by them allowed and confirmed, the ſaid Roads ſhall be repaired and kept in Repair in ſuch a Manner as other publick Highways are by Law to be repaired; and that when the ſaid publick Roads and Ways ſhall be ſo ſet out, appointed, and made as aforeſaid, it ſhall not be lawful for any Perſon or Perſons to uſe any other Roads or Ways, either publick or private, in, upon, or over the ſaid Commons and Waſte Grounds hereby directed to be divided, allotted, and incloſed, on Foot, or with Horſes, Cattle, or Carriages; and all Roads and Ways which ſhall not be ſo ſet out and appointed as the Roads or Ways ſhall be deemed to be Part of the ſaid Commons and Waſte Lands, and ſhall be divided and allotted accordingly; and all the ſaid private Ways, and alſo the ſaid Fences next the ſaid publick Highways or Roads, and the ſaid Bridges, Ditches, Overfalls, Banks, Stiles, Gates, Bars, Drains, Watercourſes, and other Works, as ſhall be ſo ſet out and appointed as aforeſaid, ſhall be made and raiſed, and at all Times hereafter repaired, cleanſed, ſupported, maintained, and kept in Repair, in ſuch Manner and Form, at ſuch Charges and Expences, and by ſuch Perſon and Perſons, as the ſaid Commiſſioners for Incloſure ſhall, by their Award, order, direct, and

appoint; and all and every Owner and Owners of Lands ſo charged with ſuch Repairs ſhall reſpectively be liable and deemed chargeable therewith by Reaſon of the Tenure of his, her, or their reſpective Lands.

None of the preſent Roads to be ſhut up until others are ſet out.

XV. Provided always, That none of the preſent Roads ſhall be ſhut up and diſcontinued until the ſaid Commiſſioners for Incloſure ſhall have cauſed the ſaid publick Roads to be ſet out as aforeſaid, and until the ſame ſhall be properly formed, and made ſafe and convenient for Horſes, Cattle, and Carriages.

Notice to be given of ſetting out Roads.

XVI. Provided alſo, That the ſaid Commiſſioners for Incloſure ſhall, before the ſetting out any Roads or Highways, in purſuance of this Act, cauſe a Notice of their Intention in that Behalf, and a Deſcription of all the publick Highways and Roads intended to be ſet out and appointed by them, to be affixed upon the Door of the Pariſh Church of *Ramſey*, and to be inſerted in the *Cambridge Chronicle* (if then publiſhed); and if any Perſon or Perſons, having any Objection to the ſaid Roads or Highways, or any of them, ſhall propoſe any other Roads or Highways, ſuch Perſon or Perſons ſhall deliver his, her, or their Objections or Propoſals to the ſaid Commiſſioners for Incloſure within Twenty-one Days, or at the Firſt Meeting of the ſaid Commiſſioners for Incloſure after the Publication of the ſaid Notice, and the ſaid Commiſſioners for Incloſure ſhall thereupon hear the Allegations and Evidence offered and produced to them in Support of the ſaid Objections or Propoſals, and after due Conſideration thereof ſhall ſet out and appoint all or any Part of the publick Roads or Highways deſcribed in the ſaid Notice, or ſuch publick Highways or Roads in lieu thereof, as they ſhall think fit.

Commiſſioners to let the Graſs growing on the Roads.

XVII. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners for Drainage for the Fourth Diſtrict (hereinafter nominated and appointed) by and with the Conſent of the Lord of the Manor of *Ramſey* aforeſaid, to let by publick Auction, in each and every Year, (Notice of ſuch Auction being affixed to the Door of the Pariſh Church of *Ramſey*, on the *Sunday* immediately preceding ſuch Auction), the Graſs and Herbage growing, ariſing, and renewing upon the ſaid Roads and Ways, for the Term of One Year then next enſuing, and the Monies thereby ariſing ſhall be laid out, paid, and expended, for and towards the maintaining and repairing the ſaid Roads and Ways, and the Overplus (if any) ſhall be made uſe of by the ſaid Commiſſioners for Drainage for the Fourth Diſtrict, for the draining and preſerving of the ſaid Fourth Diſtrict.

Allotment for repairing the *Outring Bank*.

XVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners for Incloſure, to ſet out and allot ſuch Parcel or Parcels of the ſaid Commons and Waſte Grounds, called *The Hern Common* and *Gore Common*, as they ſhall think ſufficient for the Purpoſes of maintaining and keeping in Repair a certain Bank, called *The Outring Bank* of the ſaid *Hern Common* and *Gore Common*: Provided always, that no ſuch Allotment or Allotments ſhall be made nearer to the ſaid *Outring Bank* than Twelve Feet, nor farther than Fifteen Feet from the ſaid *Outring Bank*.

Allotment to the Lord of the Soil.

XIX. And whereas *William Fellowes* Eſquire, Lord of the Manor of *Ramſey* with the Members, is or claims to be Lord of the Soil of the ſaid Commons

Commons and Waſte Grounds, and is Lay Appropriator of the Tythes of the ſaid Pariſh of *Ramſey*; be it therefore enacted, That the ſaid Commiſſioners for Incloſure ſhall, and they are hereby required to aſſign, ſet out, and allot, unto the ſaid *William Fellowes*, ſo much and ſuch Part or Parts of the ſaid Commons and Waſte Grounds (after ſuch Allotments for publick and private Roads as is herein-before directed to be made by the ſaid Commiſſioners for Incloſure, and alſo the Allotment for the Purpoſes of maintaining and keeping in Repair the ſaid *Outring Bank*, ſhall be aſſigned and ſet out as aforeſaid) as in their Judgement ſhall be a full Compenſation and Satisfaction for his Right in and to the Soil of the ſaid Commons and Waſte Grounds, and in full Satisfaction and Diſcharge of and for all Tythes in Kind, Payments and Compoſitions in lieu of Tythes, iſſuing, ariſing, and payable to him, his Heirs or Aſſigns, from, out of, or for, all and every the ſaid Commons and Waſte Grounds.

Allotments to Owners of Commonable Meſſuages, or Houſes and Tofts.

XX. And be it further enacted, That after the ſaid Allotment to the ſaid *William Fellowes*, and the ſeveral publick and private Roads and Drift Ways, and the Allotment or Allotments for maintaining and keeping in Repair the ſaid Outring Bank, ſhall be ſet out, appointed, and made, the ſaid Commiſſioners for Incloſure ſhall, and they are hereby required to divide, ſet out, allot, and aſſign, the Reſidue and Remainder of the ſaid Commons and Waſte Grounds hereby intended to be divided, allotted, and incloſed, unto and amongſt the ſeveral Owners and Proprietors of the commonable Meſſuages or Houſes and Toftſteads, according to the reſpective Number of ſuch Meſſuages or Houſes and Toftſteads, in ſuch Shares and Proportions as they the ſaid Commiſſioners for Incloſure ſhall adjudge and determine to be the Value of, and a full Satisfaction to him, her, or them reſpectively, for his, her, or their reſpective Rights and Intereſts therein; and the ſaid Commiſſioners for Incloſure, in making all and every the ſaid Allotments, ſhall have due Regard to the Quantity, Quality, Situation, and Convenience, of the Allotments to each Perſon reſpectively to be allotted, not giving, to any of the Perſons intereſted as aforeſaid any undue Preference in reſpect of any Allotment which ſhall be made, and ſo as the ſeveral Allotments to each Perſon be laid as near together and contiguous to each other, and as near to each Proprietor's own Eſtate as can, conſiſtent with the Directions of this Act, conveniently be done.

Allotments to be in Bar of Common Rights.

XXI. And be it further enacted, That the ſeveral Lands and Grounds to be divided, aſſigned, ſet out, allotted, and appointed, unto and to the Uſe of the ſeveral Perſons who by virtue of this Act ſhall be entitled to the ſame, ſhall be and are hereby veſted in them reſpectively, in full Bar, Satisfaction, and Compenſation of and for all Right of Common, and other Rights and Intereſts whatſoever (except as may be herein excepted) in, over, and upon the ſaid Commons and Waſte Grounds; and that from and immediately after the Execution of the Award herein directed to be made by the ſaid Commiſſioners for Incloſure, or at ſuch other Time as they the ſaid Commiſſioners for Incloſure ſhall by the ſaid Award, or in the mean Time by any other Writing or Inſtrument under their Hands, direct and appoint, all Right of Common belonging to or claimed by all and every the Owners, Proprietors, or Occupiers of Meſſuages, Cottages, and Toftſteads, and of all other Perſons whomſoever, in, over, and upon all the ſaid Lands and Grounds intended to

be

be divided, allotted, and incloſed as aforeſaid, and every Part thereof, ſhall ceaſe and be for ever extinguiſhed; and that all and every Leſſee and Leſſees, Tenant and Tenants, of all or any Part or Parts of the ſaid Meſſuages, Cottages, and Toftſteads, Lands, and Tenements, and Rights of Common, or other Rights whatſoever, upon the ſaid Commons and Waſte Grounds, by virtue of any Leaſe or Leaſes, or other Agreements then ſubſiſting, ſhall, upon ſuch Allotments and Diviſions being made, and ſuch Award or other Writing for that Purpoſe being executed as aforeſaid, be at Liberty to hold and enjoy ſuch Lands and Grounds as ſhall be allotted in lieu of the Right of Common to which he, ſhe, or they was or were entitled under his, her, or their former Holdings, together with ſuch Meſſuages, Cottages, Toftſteads, Lands, and Tenements, as was or were held therewith (except in Caſes where there is any Agreement to the contrary between the reſpective Landlords and Tenants) for and during ſuch Time or Term of Years as he, ſhe, or they had in ſuch former Holdings, upon paying ſuch further advanced Rent (if any) to the Leſſors or Landlords thereof, and managing and cultivating the Lands in ſuch Manner as they the ſaid Commiſſioners for Incloſure, having due Conſideration to the Covenants in ſuch former Leaſe or Leaſes contained, ſhall, in and by the ſaid Award, or any other Writing under their Hands previous to the Execution of their ſaid Award, direct or appoint, to be from thenceforth paid at ſuch Times, and in ſuch Manner to the reſpective Leſſor or Leſſors, Landlord or Landlords, as the ſaid original Rent was reſerved or payable; and ſuch Leſſor or Leſſors, Landlord or Landlords, ſhall have ſuch Powers and Remedies for the recovering and obtaining ſuch additional Rent (if any) together with the original Rents, as he, ſhe, or they would have had, or was or were entitled to have had, for the obtaining and recovering the ſaid original Rent, had this Act not been made; and in caſe the ſaid Leſſee or Leſſees, or other Tenant or Tenants reſpectively, ſhall not, within ſuch Time (after the making and executing ſuch Award, or other Writing previous thereto as aforeſaid) as they the ſaid Commiſſioners for Incloſure ſhall, in and by their ſaid Award or other previous Writing, direct and appoint, give Notice in Writing to their reſpective Leſſor or Leſſors, Landlord or Landlords, (ſuch Notice to be left at the laſt or moſt uſual Place or Places of Reſidence of ſuch Leſſor or Leſſors, Landlord or Landlords reſpectively), of his, her, or their Intentions of holding or enjoying the ſaid Meſſuages, Cottages, Toftſteads, Lands, and Tenements, by him, her, or them reſpectively rented, with the Allotment or Allotments to be made thereto reſpectively, and thereby agree to hold the ſame upon ſuch Conditions, and pay for the ſame ſuch Rent or Rents as the ſaid Commiſſioners for Incloſure ſhall have appointed to be obſerved and paid in and by the ſame Award, or Inſtrument, or other Writing as aforeſaid, then and in ſuch Caſe the ſaid Leaſe or Leaſes, Agreement or Agreements, ſhall, at the End of Six Calendar Months next after the Execution of ſuch Award, or Publication of ſuch Writing as aforeſaid, be abſolutely void to all Intents and Purpoſes.

Upon what Terms Tenants may hold their Lands.

XXII. And be it further enacted, That all and every Perſon and Perſons to whom any Allotment or Allotments ſhall be made by virtue of this Act ſhall, and they are hereby required to accept his, her, and their reſpective Allotments and Shares, at ſuch Time as the ſaid Commiſſioners for

Time for accepting Allotments.

Incloſure ſhall by the Award herein directed to be made by them, or by any other Writing under their Hands, direct or appoint, of which Notice ſhall be given in the *Cambridge Chronicle* (if then publiſhed), and alſo on ſome *Sunday*, immediately after Divine Service, in the Pariſh Church of *Ramſey* aforeſaid, and of which Notice in Writing ſhall alſo be affixed, on the ſame *Sunday*, to or upon the great or common Door of the ſaid Church, all which Notices the ſaid Commiſſioners for Incloſure are hereby required to cauſe to be ſo given and affixed; and in caſe any Perſon or Perſons ſhall neglect or refuſe to accept his, her, or their Share or Allotment, Shares or Allotments, within the Time mentioned in the ſaid Award, or other Notice in Writing, ſuch Perſon or Perſons ſo neglecting or refuſing ſhall be totally excluded from any Eſtate, Intereſt, Right of Common, or other Property whatſoever, in, over, or upon any of the Lands aſſigned or allotted to any other Perſon or Perſons whatſoever, by virtue of this Act.

Guardians, &c. may accept for Perſons incapable.

XXIII. And be it further enacted, That the Guardians, Huſbands, Truſtees, Committees, or Attornies, of or for any Perſon or Perſons being Infants, Lunaticks, Idiots, Femes Covert, or beyond the Seas, or otherwiſe incapable by Law to accept any Share or Allotment, Shares or Allotments, ſhall be, and are hereby enabled and required to accept thereof for the Uſe of ſuch Perſon or Perſons; and alſo that any Perſon or Perſons entitled to any Allotment or Allotments as Tenant or Tenants for Life or Lives, or in Tail, or for a Term or Terms of Years, ſhall be, and is and are hereby reſpectively enabled to take and accept of any ſuch Allotment or Allotments, as well on Behalf of himſelf or herſelf, as of thoſe entitled in Remainder or Reverſion; and alſo that any Perſon or Perſons entitled to any Allotment or Allotments in Remainder or Reverſion upon any precedent Eſtate, upon Neglect or Refuſal for the Time aforeſaid, of or by any Tenant or Tenants in Poſſeſſion, or Perſon or Perſons entitled to ſuch precedent Eſtate, ſhall be, and is and are hereby reſpectively enabled to accept of any ſuch Allotment or Allotments in lieu and inſtead of any Perſon ſo entitled and neglecting or refuſing as aforeſaid; and every ſuch Acceptance reſpectively ſhall be, and is hereby declared to be valid and effectual, any Thing herein contained to the contrary notwithſtanding.

Their not accepting not to bar Infant, &c.

XXIV. Provided always, That the Non-claim or Non-acceptance of any Guardian, Huſband, Truſtee, Committee, or Attorney, ſhall not exclude or prejudice the Claim or Acceptance of any Infant, Lunatick, Feme Covert, Perſon beyond the Seas, or other Perſon under ſuch Incapacity or Inability as aforeſaid, who ſhall claim or accept his, her, or their Share or Allotment, Shares or Allotments, within Two Years next after ſuch Incapacity or Inability ſhall be removed or terminated, nor the Claim or Acceptance of any Perſon or Perſons entitled as Heir, or in Remainder, or in Reverſion after the Death of any Perſon dying under ſuch Incapacity or Inability, who ſhall claim or accept within Two Years after his, her, or their Right, Title, or Intereſt, ſhall have deſcended, veſted, or accrued.

Fencing Allotments.

XXV. And be it further enacted, That the Lands and Grounds hereby directed to be divided and allotted ſhall be encloſed, hedged, ditched, and fenced, by ſuch Perſon or Perſons reſpectively, within ſuch Time, and

and in such Manner as the said Commissioners for Inclosure shall, in and by their Award, order, direct, and appoint; and such Hedges, Ditches, and Fences, shall at all Times thereafter be maintained and kept in Repair by the Proprietor or Proprietors of the Land on which the same shall be respectively made and raised; and if any Person or Persons shall neglect or refuse to make and raise such Hedges, Ditches, or Fences, according to the Award of the said Commissioners for Inclosure, it shall and may be lawful for the said Commissioners for Inclosure, and they are hereby empowered and required to cause such Hedges, Ditches, or Fences to be raised and made in such Manner, and at such Time as they the said Commissioners for Inclosure shall think proper; and if the Person or Persons who ought to have raised and made such Hedges, Ditches, or Fences, shall neglect or refuse to pay the Costs and Expences of raising and making the same (such Costs and Expences being settled by the said Commissioners) within Fourteen Days after Demand made thereof, then and in such Case it shall and may be lawful for the said Commissioners for Inclosure, and they are hereby required to cause the same to be raised and levied by such Ways and Means as the Costs and Expences of obtaining and executing this Act can or may be raised and levied.

For leaving Gaps.

XXVI. Provided always, That convenient Gaps and Openings shall be left in the Fences and Inclosures to be made in pursuance of this Act, for such Space of Time as the said Commissioners for Inclosure shall, by any Writing or Writings under their Hands, direct and appoint.

For exchanging Lands, &c.

XXVII. And be it further enacted, That for the more convenient Situation and Disposition of the Farms and Lands of the several Owners and Proprietors upon the said intended Division and Inclosure, it shall and may be lawful to and for the said Commissioners for Inclosure, and they are hereby authorized and empowered, upon Application to them in Writing, under the Hands of the Owners and Proprietors respectively interested, their Guardians, Committees, Trustees, or Attornies, to assign, allot, set out, and appoint, any Messuages, Cottages, Tenements, old Inclosures, or any of the Lands and Grounds intended by this Act to be divided and inclosed, Rents, Revenues, or other Rights and Interests in or issuing out of any Messuages, Cottages, Tenements, old Inclosures, or other Lands and Grounds within the Parish of *Ramsey* aforesaid, in Lieu of and in Exchange for any other Messuages, Cottages, Tenements, old Inclosures, or any of the Lands and Grounds intended by this Act to be divided and inclosed, Rents, Revenues, or other Rights or Interests in or issuing out of any other Messuages, Cottages, Tenements, old Inclosures, or other Lands or Grounds within the said Parish of *Ramsey*, and to separate, divide, and make Partition of any Lands, Tenements, or Hereditaments within the said Parish of *Ramsey*, held by Tenants in Common, so as all and every such Exchange or Exchanges, Separations, Divisions, and Partitions, be made by, and ascertained, specified, and declared in their Award; and all and every such Exchange and Exchanges, Separations, Divisions, and Partitions so made, shall be good, valid, and effectual in the Law to all Parties, and to all Intents and Purposes whatsoever.

Act not to prejudice any Will or Settlement.

XXVIII. And be it further enacted, That nothing in this Act contained shall extend, or be construed, adjudged, or taken to extend, to revoke,

revoke, make void, alter, or annul any Will or Wills, Settlement or Settlements, Mortgage or Mortgages, or to prejudice any Perſon or Perſons having any Right or Claim of Dower, Jointure, Portion, Debt, Rent, Out Rent, Fee Farm Rent, Incumbrance, or other Demand, out of, upon, or affecting any Lands or Grounds that ſhall be exchanged by virtue of this Act, or any Part or Parts thereof reſpectively, (other than and except ſuch Leaſe or Leaſes, Agreement or Agreements as aforeſaid), but that each and every Proprietor ſhall ſtand and be ſeiſed of and in the ſaid Meſſuages, Tenements, Lands, and Grounds, to be received in Exchange by, or aſſigned or allotted to him, her, or them as aforeſaid, to ſuch and the ſame Uſe and Uſes, and for ſuch and the ſame Eſtate and Eſtates, and Intereſts, and ſubject to ſuch and the ſame Wills, Powers, Proviſoes, Limitations, Truſts, Charges, Rents, Out Rents, Fee Farm Rents, Mortgages, Incumbrances, and Demands (other than and except ſuch Leaſe or Leaſes, or Agreements as aforeſaid), as he, ſhe, or they was or were reſpectively ſeiſed of in his, her, or their ſeveral Meſſuages, Tenements, and Common Rights, before the making of ſuch Diviſion, Allotments, and Exchanges reſpectively, and in ſuch Manner as he, ſhe, or they would have been in caſe this Act had not been made.

One Penny *per* Acre to be paid to Mr. *Fellowes*.

XXIX. And be it further enacted, That all and every Allotment and Allotments which ſhall be made to any Perſon or Perſons, for or in reſpect of any Meſſuage, Houſe, or Toftſtead, ſituate, lying, and being within the Pariſh of *Ramſey* aforeſaid, ſhall be and be deemed to be Freehold, notwithſtanding the ſame may have been allotted in reſpect of any Meſſuages, Houſes, or Toftſteads, which are Copyhold, the Owner or Owners, Proprietor or Proprietors thereof paying unto the ſaid *William Fellowes*, Lord of the Manor of *Ramſey*, his Heirs and Aſſigns, the Yearly Sum of One Penny for each and every Acre, and ſo in Proportion for any greater or leſs Quantity, as a full Satisfaction and Compenſation for all Rents, Titles, and Services, ariſing or to ariſe in, from, or out of the ſaid Commons and Waſte Grounds hereby intended to be divided, allotted, and incloſed, to the ſaid *William Fellowes*, as Lord of the Manor of *Ramſey*; ſuch Sum or Sums of Money to be paid on the Feaſt Day of *Saint Michael* the Archangel, in each and every Year, and may be recovered by ſuch Ways and Means as any other Rent or Rents are by Law made recoverable.

Tenure of Allotments not ſituate in *Ramſey*.

XXX. And be it further enacted, That all and every Allotment and Allotments which ſhall be made to any Perſon or Perſons, for or in reſpect of any Meſſuage, Houſe, or Toftſtead, not ſituate, lying, and being within the ſaid Pariſh of *Ramſey*, ſhall be holden (under ſuch Lord or Lords, Lady or Ladies, as ſhall be determined by the ſaid Commiſſioners for Incloſure the ſame ſhould or ought to be holden, or, (in caſe the Party or Parties intereſted, or claiming to be intereſted, ſhall be diſſatisfied with the Determination of the ſaid Commiſſioners for Incloſure), under ſuch Lord or Lords, Lady or Ladies, as ſhall be determined by any Trial or Trials at Law, the ſame ſhould or ought to be holden) in like Manner, and under the ſame Tenures, Rents, Cuſtoms, and Services, as the Meſſuage, Houſe, or Toftſtead, for or to which ſuch Allotment or Allotments ſhall be made, was or were holden.

XXXI. And be it further enacted, That the Proportion herein-after ſpecified of the Charges and Expences of obtaining this Act, and all the Coſts and Charges incident to and attending the incloſing of the Allotments, and of the ſurveying, admeaſuring, planning, valuing, dividing, allotting, and exchanging of the Lands, Grounds, and Premiſes, hereby directed to be divided, allotted, and exchanged, and of preparing and inrolling the ſaid Award, and of the Copies thereof, and the Allowance of the ſaid Commiſſioners for Incloſure, and all other neceſſary Expences of the ſeveral Perſons to be employed by the ſaid Commiſſioners for Incloſure in and about the Premiſes, either before or after the Execution of the ſaid Award, ſhall be borne and defrayed by the ſeveral Perſons to whom any Allotment or Allotments ſhall be made by virtue of this Act, which ſaid Coſts and Charges, together with the Proportions thereof to be paid by the ſeveral Perſons hereby made liable to the Payment thereof, ſhall be ſettled and adjuſted by the ſaid Commiſſioners for Incloſure, and ſhall be paid at ſuch Time and Place, and to ſuch Perſon or Perſons as the ſaid Commiſſioners for Incloſure ſhall appoint; and if any Perſon ſhall refuſe or neglect to pay his or her Share or Proportion of the ſaid Coſts, Charges, and Expences, to the Perſon or Perſons authorized to receive the ſame, at the Time and Place which ſhall be appointed by the ſaid Commiſſioners for Incloſure for the Payment thereof, then and in ſuch Caſe the ſaid Commiſſioners for Incloſure ſhall and may, after the Execution of their ſaid Award, by Warrant or Warrants under their Hands and Seals, directed unto any Perſon or Perſons whomſoever, cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo neglecting or refuſing as aforeſaid, rendering the Overplus (if any) after deducting the Charges and Expences attending ſuch Warrant, Diſtreſs, and Sale, to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, or otherwiſe it ſhall be lawful for the ſaid Commiſſioners for Incloſure, after the Execution of their ſaid Award, by Writing under their Hands and Seals, to authoriſe and empower One or more Perſon or Perſons to enter into and upon the Lands and Grounds to be allotted, or belonging to the Perſon ſo refuſing or neglecting as aforeſaid, and to take and receive the Rents, Iſſues, and Profits of the ſame Premiſes, until thereby or therewith the Share or Proportion of the ſaid Coſts, Charges, and Expences ſo directed and awarded to be paid by ſuch Perſon ſo neglecting or refuſing as aforeſaid, with lawful Intereſt thereupon from the Time the ſame ſhall have become due, and alſo all Coſts and Expences occaſioned by or attending ſuch Entry on, and Perception of the Rents and Profits of the ſaid Premiſes, ſhall reſpectively be fully paid and ſatisfied.

For defraying the Coſts and Charges.

XXXII. And be it further enacted, That the ſaid Proprietors, their Attornies and Agents, ſhall pay their own Expences when they or any of them ſhall attend the ſaid Commiſſioners for Incloſure at any of their Meetings to be held in purſuance of this Act.

Proprietors and their Agents to pay their own Expences.

XXXIII. And be it further enacted, That it ſhall and may be lawful for the Truſtee or Truſtees, Feoffee or Feoffees, and alſo to and for the ſeveral Owners and Proprietors of any Meſſuages, Lands, Tenements, or Hereditaments, for or in reſpect of which any Allotment or Allotments ſhall be made by virtue of this Act, and alſo to and for the Huſbands, Guardians, Truſtees, and Committees, of any of the ſaid Owners or Proprietors, being under Coverture, Minors, Idiots, Lunaticks,

For borrowing Money.

ticks, or beyond the Seas, or labouring under any other Diſability whatſoever, and alſo to and for all Perſons acting as Guardians, Truſtees, or Committees of any Owners or Proprietors being under any Diſability or Incapacity whatſoever, whether ſuch Owners and Proprietors be Tenants in Fee Simple, Tenants for Life with or without Impeachment of Waſte, Tenants in Fee Tail, General, or Special, Tenants by the Curteſy of *England*, or Tenants for Years determinable on any Life or Lives, by any Deed or Deeds, Writing or Writings, under their reſpective Hands and Seals, to be duly executed in the Preſence of, and atteſted by Two or more credible Witneſſes, to charge the Lands and Grounds which ſhall be allotted to or exchanged with them by virtue and in purſuance of this Act, with any Sum or Sums of Money, not exceeding Fifty Shillings for every Acre thereof, for defraying their reſpective Proportions of the Charges and Expences incident to the obtaining and executing this Act, and of incloſing and fencing the Lands allotted to or exchanged with him, her, or them, by virtue of this Act, and for ſecuring the Re-payment of ſuch Sum or Sums of Money, with Intereſt for the ſame, to grant, mortgage, leaſe, demiſe, ſurrender, or otherwiſe ſubject the Lands and Grounds ſo to be divided, allotted, and exchanged as aforeſaid, or any Part thereof, unto any Perſon or Perſons who ſhall advance and lend ſuch Sum or Sums of Money reſpectively, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, either in Fee, or for any Term or Number of Years, ſo as every ſuch Grant, Demiſe, Surrender, or Security, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt, as to any Term of Years created of the Freehold Part of the ſaid Lands and Grounds to be ſurrendered when ſuch Sum or Sums of Money thereby to be ſecured, with the Intereſt thereof, ſhall be fully ſatisfied and paid, and ſo as in every ſuch Grant, Mortgage, Leaſe, Demiſe, Surrender, or Security, which ſhall be made by ſuch Truſtee or Truſtees, Feoffee or Feoffees, or by any Perſon or Perſons intereſted in, or entitled unto the Premiſes for the Term of their natural Lives only, or by his, her, or their Guardian or Guardians, Truſtee or Truſtees, Committee or Committees, there be contained a Proviſo or Covenant that the Owners or Proprietors of the ſaid Lands and Grounds ſhall duly pay and keep down the Intereſt of any Sum or Sums of Money to be thereby ſecured during their reſpective Lives, and no Perſon afterwards becoming poſſeſſed of the ſaid Lands and Grounds ſhall be liable to pay any further or larger Arrear of Intereſt than for One Year preceding the Time that the Title to ſuch Poſſeſſion ſhall commence; and every ſuch Grant, Mortgage, Leaſe, Demiſe, or Surrender of the ſaid Lands and Grounds, or any Part or Parts thereof, ſo to be made as aforeſaid, ſhall be good, valid, and effectual in the Law for the Purpoſes thereby intended, notwithſtanding the Want of Title in ſuch Truſtee or Truſtees, Feoffee or Feoffees, Owner or Owners, or in the ſaid Huſbands, Guardians, or Committees, or in the Perſons acting as ſuch, or in the Tenants in Tail or for Life, and notwithſtanding any Settlement, Will, Truſt, Uſe, Remainder, or Limitation of or concerning the ſame Lands and Grounds, or any Part or Parts thereof, then in being, or capable of taking Effect to the contrary.

Award.

XXXIV. And, for preventing Diſputes and Differences relating to the ſaid intended Diviſion and Incloſure, be it further enacted, That as ſoon as conveniently may be after the ſaid Commiſſioners for Incloſure ſhall

have completed the Diviſion and Allotment of the ſaid Commons and Waſte Ground ſo intended to be divided, allotted, and incloſed as aforeſaid, purſuant to the Directions of this Act, they the ſaid Commiſſioners for Incloſure ſhall form and draw up an Award or Inſtrument in Writing, with a Plan thereto annexed, which ſhall expreſs and contain the Quantity, in Statute Meaſure, of Acres, Roods, and Perches contained in the ſaid Commons and Waſte Grounds ſo intended to be divided, allotted, and incloſed as aforeſaid, and the Quantity and Contents of each and every Part thereof aſſigned and allotted to each of the Parties intereſted, in Right of Soil, or in Right of their Tenements reſpectively, or otherwiſe, and ſpecifying therein the Number of the ſame which is contained in the Plan to be thereunto annexed, and proper Orders and Directions for fencing and mounding the ſame, and for fencing and laying out proper Roads, Ways, Paths, and Paſſages, in, over, and through the ſame; and alſo expreſs and contain ſuch other Orders, Regulations, and Determinations as ſhall be proper and neceſſary to be inſerted therein, conformable to the Intent and Purport of this Act; which ſaid Award or Inſtrument ſhall be fairly ingroſſed on Parchment, and ſigned and ſealed by the ſaid Commiſſioners, in the Preſence of and atteſted by Two or more Witneſſes, and ſhall, within Six Calendar Months after the ſame ſhall be ſigned and ſealed as aforeſaid, be inrolled with the Clerk of the Peace for the County of *Huntingdon* aforeſaid, who is hereby required to inroll the ſame, to the End that Recourſe may be had thereto by all Perſons intereſted in the ſaid Diviſion and Incloſure, for the Inſpection whereof One Shilling ſhall be paid, and no more; and a true Copy thereof, or of any Part thereof, when and as often as the ſame ſhall be required, ſhall be delivered to any Perſon or Perſons intereſted therein, ſigned by the Clerk of the Peace or his Deputy for the Time being, purporting the ſame to be a true Copy, for which no more than Four-pence *per* Sheet (reckoning Seventy-two Words to each Sheet) ſhall be paid, which ſaid Copy, as alſo the original Award or Inſtrument, ſhall at all Times hereafter be admitted as legal Evidence in all Courts whatſoever; and the ſeveral and reſpective Diviſions and Allotments to be made in and by ſuch Award or Inſtrument, ſo to be executed and inrolled as aforeſaid, ſhall be, and are hereby declared to be final, binding, and concluſive unto and upon all Parties intereſted in and entitled unto the ſaid Commons and Waſte Grounds ſo to be divided, allotted, and incloſed, or exchanged as aforeſaid; and the ſaid Commiſſioners for Incloſure are hereby directed and required to deliver the ſaid original Award, with the Plan thereto annexed, unto the Churchwardens of the ſaid Pariſh of *Ramſey*, to be by them depoſited in the Pariſh Cheſt of the ſaid Pariſh, to the End that Recourſe may had thereto by the ſeveral and reſpective Proprietors.

Commiſſioners to account.

XXXV. And be it further enacted, That the ſaid Commiſſioners for Incloſure ſhall, and they are hereby required, in caſe the ſame ſhall be demanded by any Nine or more of the ſaid Proprietors, to make out a full and particular Account, in Writing, of all the Money which they ſhall have received, and alſo of all the Charges and Expences of the ſaid Commiſſioners for Incloſure, or which they ſhall have allowed or conſented to be paid by virtue of or in purſuance of any of the Powers given and granted to them by this Act, and to lay the ſame, together with all Receipts, Vouchers, and Papers relating thereto, before Nine or more of

of the ſaid Proprietors, to be nominated and choſen by the major Part in Value of the ſaid Proprietors, or his or their Agents reſpectively, preſent at a Meeting to be held for that Purpoſe purſuant to Notice to be given in the *Cambridge Chronicle* (if then publiſhed) and to the ſaid Commiſſioners for Incloſure, of the Time and Place of ſuch Meeting, at leaſt Ten Days before the ſame ſhall be held, and ſuch of the ſaid Proprietors as ſhall be ſo choſen and nominated at the ſaid Meeting ſhall be, and they are hereby authorized and appointed, from Time to Time and at all reaſonable Times, to inſpect and examine ſuch Accounts of the ſaid Commiſſioners for Incloſure, and alſo all other Accounts and Bills of Charges of any other Perſon or Perſons employed or acting in paſſing or executing this Act, ſo far as the ſame relates to the ſaid Diviſion, Allotment, and Incloſure, and all Receipts, Vouchers, Papers, and Writings concerning the ſame; and in caſe no ſuch Accounts ſhall be demanded and produced as aforeſaid, before the Copy of the ſaid Award ſhall be depoſited in the Pariſh Cheſt of the Pariſh of *Ramſey* aforeſaid, a full and particular Account, in Writing, of all the Monies which the ſaid Commiſſioners for Incloſure ſhall have received, and alſo all their Charges and Expences as aforeſaid, ſhall be fairly written and depoſited with the ſaid Copy of the Award.

Perſons aggrieved may appeal to General Quarter Seſſions.

XXXVI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act, by the ſaid Commiſſioners for Incloſure, then and in ſuch Caſe (except in ſuch Caſes where the ſame are directed to be tried at Law, or where the Orders and Determinations of the ſaid Commiſſioners for Incloſure are directed to be final, binding, and concluſive to all Parties) he, ſhe, or they may appeal to any General Quarter Seſſions of the Peace to be held for the ſaid County of *Huntingdon*, within Four Calendar Months next after the Cauſe of Complaint ſhall ariſe; and the Juſtices at the ſaid General Quarter Seſſions are hereby required to hear and determine the Matter of every ſuch Appeal, and make ſuch Order therein, and award ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded, by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners thereof, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale, which Determination of the Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever.

General Saving.

XXXVII. Saving always to the King's moſt Excellent Majeſty, His Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politick and Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, (other than and except the reſpective Perſons to whom any Allotment or Allotments, or Compenſation ſhall be made, and whoſe Rights are hereby intended to be barred and extinguiſhed), all ſuch Eſtates, Rights, Titles, Intereſt, Claim, and Demand, which they, any, or either of them, had and enjoyed of, in, to, or out of the ſaid Commons and Waſte Lands ſo intended to be divided and incloſed as aforeſaid, at the Time of paſſing this Act, or would or might have held and enjoyed in caſe the ſame had not been made.

XXXVIII. And

XXXVIII. And whereas the Commiſſioners nominated and appointed in and by an Act, made in the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds, in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Farceitt, Standground, *and* Waternewton, *in the County of* Huntingdon, *and of* Doddington, *in the Iſle of* Ely, *and County of* Cambridge, have proceeded in the Execution of the ſaid Act, to the great Benefit of the ſaid Fen Lands and Low Grounds, containing in the Whole by Eſtimation Nine thouſand one hundred and eighteen Acres or thereabouts; but from the Inſufficiency of the Powers given and granted to the ſaid Commiſſioners by the ſaid Act, the ſame cannot be ſufficiently drained, nor the Debt incurred by the ſaid Commiſſioners for the Purpoſe of draining the ſaid Lands and Grounds diſcharged; be it therefore enacted, That, from and after the paſſing of this Act, the ſaid recited Act, and all the ſeveral Matters and Things therein contained, ſhall be and are hereby repealed and made void to all Intents and Purpoſes whatſoever. Act 30 *Geo.* II.

XXXIX. And be it further enacted by the Authority aforeſaid, That all thoſe Lands and Grounds which are bounded and deſcribed as follows, that is to ſay, beginning at the South Bank of the *Forty Foot* River; and from thence along by the Side of the Outring Ditch of a Piece of Ground of *Thomas Boys*, which divides that Land and a Muchwood Part called *A Thiſtle Green Lot*; and from thence to the Farm Yard of *William Fellowes* Eſquire, now in the Occupation of *Abraham Staffurth*; and from thence along the Skirts of the Highlands belonging to the ſaid Farm; and from thence along the Skirts of the Highlands of *Worlick* Farm; and from thence along by the Skirts of the Highlands of another Farm of the ſaid *William Fellowes*, in the Tenure or Occupation of *William Hard*; and from thence along by the Skirts of the Highlands of one other Farm of the ſaid *William Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the Highlands adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along the Highland Skirts of a Ground called *The Oak Tree Ground*, to the Skirts of the Highlands of *Barnabas Brighty* Gentleman, to the Outring Ditch that divides the Pariſhes of *Ramſey* and *Bury*, to the Outring Dike of a *Bury* Fen Lot belonging to *Mary Wright*, which divides that Lot from a Lot of the Reverend *Thomas Whiſton* Clerk, to a certain Drove called *Long Drove*, and acroſs the ſaid Drove to the Outring Dike of a Lot of *John Cole* Eſquire, which divides a Lot of the ſaid *Thomas Whiſton* and a Lot of *Anna Maria Sturgeſs* Widow, to the Outring Dike of the ſaid *Abraham Staffurth* Gentleman, and along the ſaid Dike to the North End of a Piece of Land called *Willow Row*, belonging to the ſaid *Thomas Whiſton*, and along the Eaſt and South Dike of the ſaid *Willow Row*, to a Drove called *Jack's Corner Drove*, and along the ſaid Drove to a Twenty Acre Piece of *Robert Sparrow* Eſquire, and along the Diviſion Dike which divides a Lot of *William Goſſlin* Yeoman, and a Lot of the ſaid *Robert Sparrow*, to a Diviſion Dike which in Part divides the ſaid Twenty Acres and *Vicar's Cloſes*, and thence acroſs a Drain which in Part divides the ſaid *Vicar's Cloſes* and *Jack's Corner*, the Lands of the ſaid *Robert Sparrow*, to a Dike which divides the High Lands of the ſaid *Vicar's Cloſes* from the fenny Parts thereof, to a *Wiſtow* Fen Lot called *Durrant's Lot*, from thence to a Drove called *Durrant's Drove* to *Wiſtow Fen Long Drove*, and from thence to *Wiſtow Stray Paſture Drove*, and along

Lands divided into Diſtricts.

Firſt Diſtrict.

along the ſame to *Wiſtow Stray Paſture*, and along the Highland Skirts thereof to the Diviſion Dike which divides the Pariſh of *Warboys* and the ſaid *Wiſtow Stray Paſture*, and the Land Skirts of *Warboys Stray Paſture* next the fenny Parts thereof, to the Outring Dike of the ſaid *Stray Paſture*, which divides that and the Common called *Old Stray Paſture*, and along the ſaid Dike to the Outring Dike now or late of *Mary Catlin* Widow, which divides her *Adventurer's Land* and the ſaid Common called the *Old Stray Paſture*, and from thence to *Puddock Drove*, and from thence along the ſaid Drove to *Puddock Bridge*, or the South Bank of the *Forty Foot* River; and from thence along the ſaid Bank to that Part thereof which is oppoſite to the aforeſaid Piece of Ground of the ſaid *Thomas Boys*, adjoining to his Muchwood Part, and called *A Thiſtle Green Lot*: And all the Lands and Grounds lying within ſuch Boundaries, containing by Eſtimation Three thouſand eight hundred and fifty-ſeven Acres or thereabouts; which ſaid Lands and Grounds ſhall be and are hereby made the Firſt Diſtrict of the Lands and Grounds intended by this Act to be drained and preſerved:

Second Diſtrict. And all thoſe Lands and Grounds lying within the Fen called *Stocking Fen*, or *Stocking Fen Lottery*, beginning at the Houſe of *John Poulter*, in the *Great White* at *Ramſey* Town's End, along the Eaſt Bank of *Ramſey High Load* to the Droveway which runs from the ſaid *High Load*, oppoſite to the Gate of the Yard called *The Brickiln*, and thence along the Dikes which divide *Muchwood Parts*, *Bangor's Fields*, and the ſaid *Stocking Fen*; and thence by the Dike which divides the Lands of *Abraham Staffurth* and *Holiday's Cloſes*, to the Outring Dike which divides the Grounds called *Iſlington*; and by the ſaid Dike to *Muckhill End*, and ſo along the Drove at the Yard's End to the Garden and Houſe of the ſaid *John Poulter*, and all the Lands and Grounds lying within ſuch Boundaries in the ſaid Townſhip or Pariſh of *Ramſey*, containing by Eſtimation Two hundred and fifty Acres or thereabouts; which Lands and Grounds ſhall be and are hereby made the Second Diſtrict of the Lands and Grounds hereby intended to be drained and preſerved:

Third Diſtrict. And all thoſe Lands and Grounds lying within the ſaid Fen called *The Bill*, or *Bill Lottery*, bounded on every Side by the *Nene*, *Ramſey High Load*, and the *Bill Load*, and all the Lands and Grounds lying within ſuch Boundaries in the ſaid Townſhip or Pariſh of *Ramſey*, containing by Eſtimation Two hundred and ſixty-four Acres or thereabouts; which Lands and Grounds ſhall be and are hereby made the Third Diſtrict of the Lands and Grounds hereby intended to be drained and preſerved:

Fourth Diſtrict. And all thoſe Lands and Grounds deſcribed and bounded in Manner following; that is to ſay, Beginning at the Gateway on the Bank, on the North Side of the River *Nene*, between the Lands called *Plaws*, and the Corner of the Outring Dike of a *Loadſend* Lot of *John Serjeant*, along the ſaid Bank next the River *Nene*, to where *Peter Deſcow*'s Bridge formerly ſtood, and along the Piece of Land on which the ſaid Bridge was erected to *Ramſey Hern*, and then by the Side of *Ramſey Hern* next the ſaid River to the Corner of *Draper's Delph*, and from thence to be continued next to the Outring Dike of *Draper's Delph*, to the ſaid River *Nene*, along the Eaſt Bank thereof to *Dantree Style*, next the Common called *The Gore Common*, and along the ſame next the Outring Dike of *Dantree* Farm, and excluding *Dantree* Farm, to a Farm of the ſaid *William Fellowes*, formerly in the Occupation of *Hoſea Taffine*, and along the ſaid Farm next the Outring Dike of the ſaid *Dantree* Farm, and thence

along

along the North Side of the Diviſion Dike which divides the Lands of Sir *John Smith* Baronet, now in the Tenure of *John Saunders*, and the ſaid *Dantree* Farm to the Bank of the ſaid *John Saunders*, next *Whittleſea Meer*, and along the ſame Bank to *Bevill's* River Side, and along the Bank on the South Side of the ſaid *Bevill's* River to the South-weſt Side of a Droveway which divides the Pariſhes of *Waternewton* and *Whittleſea*, and along the ſame to *Upwood Drove* and Drain near *Plumber's* Bridge, and acroſs the ſaid Drove and Drain to the South-weſt Side of *Delph* Dike, to the Diviſion Dike which divides *Middlemore* and *Loadſend* aforeſaid; and then along the Side of the ſame Dike to the Gateway upon the Bank on the North Side of the River *Nene*, between the Lands called *Plaw's* and the Corner of the Outring Dike of a *Loadſend* Lot of the ſaid *John Serjeant* aforeſaid, together with the ſaid *Hern Common* and *Gore Common*, containing by Eſtimation Three thouſand five hundred and eleven Acres or thereabouts; which Lands and Grounds ſhall be and are hereby made the Fourth Diſtrict of the Lands and Grounds hereby intended to be drained and preſerved: And all thoſe Lands and Grounds called *Loadſend* and *Longbeach*, with *Beaupre* and *Winſore Meer*, and the *Adventurer's Lands* of *John Ibberſon*, in the ſaid Townſhip or Pariſh of *Ramſey*, containing by Eſtimation Five hundred and forty-three Acres or thereabouts, and bounded as follows; that is to ſay, Beginning at the Gateway on the Bank on the North Side of the River *Nene*, called *Plaw's Gate*, and along the ſaid Bank next the River *Nene* to *Bodſey* Bridge, and from *Bodſey* Bridge to *Delph* Dike, which divides *Meerſide* and *Loadſend*, and along the ſaid *Delph* Dike to the Corner of *Ibbott's* Farm Houſe, and then acroſs the Road to the ſaid *Delph* Dike and along the ſaid *Delph* Dike, to the Diviſion Dike, that parts *Loadſend* and *Middlemore*, and along the ſaid Diviſion Dike to *Plaw's Gate*; which Lands and Grounds ſhall be and are hereby made the Fifth Diſtrict of the Lands and Grounds hereby intended to be drained and preſerved: And all thoſe Lands and Grounds called *Meerſide* and *Midfetter Lottery*, in the ſaid Townſhip or Pariſh of *Ramſey*, with Fifty Acres now belonging to *Henry Ibberſon*, and One hundred and eighty Acres to the ſaid *William Fellowes*, containing in the Whole by Eſtimation One thouſand two hundred and thirteen Acres or thereabouts, and bounded as follows; that is to ſay, Beginning upon *Delph* Dike, oppoſite to the Outring Dike of *Henry Ibberſon's* Fifty Acres, next *Glaſſmore* to the Outring Dike of the One hundred and eighty Acres of the ſaid *William Fellowes*, next *Glaſſmore*, to a Drove called *Hunſdrove*, and along the ſame Drove to a Farm of the ſaid *William Fellowes*, now in the Tenure of *William Sharp*; and along the Outring Dike which divides the ſaid Farm and *Meerſide Lottery*, to a certain Stile or Heading on the Bank next the River *Nene*; from thence along the ſame Bank to another Farm Houſe of the ſaid *William Fellowes*, in the Tenure of *John Infield*; and along the ſame Bank to *Bodſey Gravel* and *Loadſend Bank*; and from thence along *Delph* Dike Drove, oppoſite to a certain Farm of the ſaid *Barnabas Brighty*, in the Tenure of the ſaid *Barnabas Brighty*, acroſs the *Meerſide Drove* upon *Delph* Dike Bank, to the Corner of the Outring Dike of the Fifty Acres next *Glaſſmore*, of the ſaid *Henry Ibberſon*, oppoſite to *Delph* Dike aforeſaid, and all the Lands and Grounds within ſuch Boundaries; which Lands and Grounds ſhall be and are hereby made the Sixth Diſtrict of the Lands and Grounds hereby intended to be drained and preſerved.

Fifth Diſtrict.

Sixth Diſtrict.

XL. And

XL. And be it further enacted by the Authority aforeſaid, That the reſpective Perſons herein-after appointed and nominated, and their Succeſſors, to be elected in ſuch Manner as is herein-after directed, ſhall be Commiſſioners for draining and preſerving the ſaid ſeveral Diſtricts, and for carrying all the Powers herein contained in Execution, within and in relation to the ſaid ſeveral Diſtricts; that is to ſay, that the Lord or Lords, Lady or Ladies for the Time being of the reſpective Manors of *Bury* and *Wiſtow*, or in his, her, or their Abſence, the Agent or Agents appointed by ſuch Lord or Lords, Lady or Ladies reſpectively, under his, her, or their Hand or Hands, and the Committee or Agent of *Robert Hotchkin* Eſquire, a Lunatick, together with *John Beard*, *Richard Billups*, *Barnabas Brighty*, *Henry Brown*, *Thomas Burges*, *Thomas Burges* Junior, *William Campion* of *Bury*, *William Chambers*, *William Holder*, *Jackſon* of *Godmancheſter*, *Francis Ibberſon*, *John Marriott*, *John Nicholls*, *Peter Peckard* Clerk, *Stanhope Pedley*, *Thomas Pike*, *John Rowell*, *Edward Rowell*, *Robert Bernard Sparrow*, *Abraham Staffurth*, *George Thompſon*, *Thomas Whiſton*, and *William Wright*, ſhall be the Commiſſioners for Drainage for the Firſt Diſtrict: That *John Beard*, *Barnabas Brighty*, *Henry Brown*, *William Brown*, *Thomas Burges* Junior, *William Campion* of *Bury*, *Samuel Jenkins*, *John Julyan* Junior, *Thomas Ridlington*, *John Serjeant*, *Robert Bernard Sparrow*, *Abraham Staffurth*, and *Samuel Wells*, ſhall be the Commiſſioners for Drainage for the Second Diſtrict: That *John Bedford*, *Barnabas Brighty*, *Thomas Burges* Junior, *Edward Fellowes*, *William Graves*, *John Leach*, *Henry Mawdeſley* Clerk, *John Nicholls*, *Richard Pooley*, *Thomas Quince*, *Thomas Ridlington*, *John Serjeant*, and *Vere Warner*, ſhall be the Commiſſioners for Drainage for the Third Diſtrict: That the Agent of his Grace the Duke of *Bedford*, the Agent of the Right Honourable Lord *Eardley* of the Kingdom of *Ireland*, and of the Heirs and Aſſigns of the ſaid Duke and Lord, being Owners of the Lands which are now poſſeſſed by them in the Fourth Diſtrict, together with *Samuel Wells*, the Heirs of *Matthew Wyldbore*, and the Heirs of *Peter Deſtow*, ſhall be Commiſſioners for Drainage for that Part of the Fourth Diſtrict called *Middlemore*, and that *Barnabas Brighty*, *William Brown*, *Henry Brown*, *Thomas Burges*, *Thomas Burges* Junior, *Samuel Jenkins*, *Thomas Ridlington*, *John Serjeant*, *Samuel Wells*, and *George Wilkinſon*, ſhall be the Commiſſioners for Drainage, for that Part of the Fourth Diſtrict called the *Hern Common* and *Gore Common*: That *Edward Banes*, *Barnabas Brighty*, *Henry Brown*, *Thomas Burges* Junior, *Thomas Hetley*, *John Ibberſon*, *John Maltman*, *James Manſil*, *John Middleton*, *Thomas Ridlington*, and *John Serjeant*, ſhall be Commiſſioners for Drainage for the Fifth Diſtrict: That *Barnabas Brighty*, *Thomas Green*, *John Ibberſon*, *Henry Ibberſon*, *James Johnſon*, *Robert Jones*, *William Marriott*, *John Renow*, *John Serjeant*, and *William Smith*, ſhall be the Commiſſioners for Drainage for the Sixth Diſtrict: And that the Lord or Lady of the Manor of *Ramſey*, or in his or her Abſence, an Agent appointed by ſuch Lord or Lady, under his or her Hand, ſhall be One other Commiſſioner for each and every of the ſaid Six Diſtricts.

Commiſſioners for the Firſt Diſtrict:

For the Second:

For the Third:

For the Fourth:

For the Fifth:

For the Sixth.

XLI. And be it further enacted by the Authority aforeſaid, That the Lords or Ladies of the ſaid Manors for the Time being, and in their Abſence the ſaid Agents, and the Agent of his Grace the Duke of *Bedford*, and the Agent of the Right Honourable Lord *Eardley* of the Kingdom of *Ireland*, their ſaid Heirs or Aſſigns, and *Charles Bowyer Adderley*

Perpetual Commiſſioners.

ley Eſquire, as Committee of the Eſtate of *Robert Hotchkin* Eſquire, a Lunatick, lying within the Pariſh of *Wiſtow*, in the ſaid Firſt Diſtrict, and the Committee of the ſaid Lunatick for the Time being, and after the Deceaſe of the ſaid Lunatick, then the Owner of his ſaid Eſtate for the Time being, his or her Guardian or Guardians, Truſtee or Truſtees, or the Agent of any ſuch Committee, or other Perſon or Perſons aforeſaid appointed for that Purpoſe, by Writing under his, her, or their Hand or Hands, ſhall be at all Times hereafter Commiſſioners for Drainage for the reſpective Diſtricts for which they are herein-before appointed: And that the ſeveral other Perſons nominated Commiſſioners for Drainage for the ſaid Diſtricts reſpectively, ſhall continue Commiſſioners for Drainage until the *Friday* in *Eaſter* Week One thouſand ſeven hundred and ninety-ſeven, or until other Commiſſioners for Drainage ſhall be choſen in Manner hereafter directed.

Commiſſioners to be elected annually.

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

Commiſſioners for the *Hern* and *Gore* Commons.

XLIII. Provided always, and be it further enacted, That Ten of the Commiſſioners for Drainage acting for the Fourth Diſtrict, ſhall be Owners and Proprietors of Allotments in One of thoſe Two Commons, called *The Hern Common* and *Gore Common*, herein directed to be divided, allotted, and incloſed, in Right of any Meſſuages, Cottages, Toftſteads, Lands, or Tenements, within the ſaid Pariſh of *Ramſey*.

Commiſſioners dying, *&c.* others to be choſen.

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

Qualification of Commiſſioners.

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

Penalty on Perſons acting if not qualified.

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

Commiſſioners for that Part of the Fourth Diſtrict called *Middlemore*.

XLVI. And in caſe it ſhould ſo happen that there ſhould not be a ſufficient Number of Perſons poſſeſſed of Sixty Acres of Adventurers Lands within the ſaid Fourth Diſtrict, or of Twenty Acres within the Gore lying within the ſaid Fourth Diſtrict, to act as Commiſſioners for Drainage for that Part of the ſaid Fourth Diſtrict called *Middlemore*; provided therefore, and be it further enacted, That when and ſo often as the ſame ſhall happen, it ſhall and may be lawful to and for the Majority of the Commiſſioners for Drainage ſo qualified as aforeſaid, being then and there preſent in the Firſt Week in *July*, to nominate and appoint, by Writing under their Hands and Seals, ſuch Number of Perſons who are poſſeſſed of Real Eſtate of Twenty Pounds *per Annum* in his or their own Right, or Perſonal Eſtate of the Value of Four hundred Pounds, as ſhall be wanting to make up the Number of Ten Commiſſioners for Drainage, which Perſon or Perſons ſo nominated and appointed, ſhall have full Power and Authority to act as a Commiſſioner or Commiſſioners for Drainage for the Fourth Diſtrict in the Execution of this Act.

Meetings of Commiſſioners.

XLVII. And be it further enacted by the Authority aforeſaid, That the reſpective Commiſſioners for Drainage for each of the ſaid Diſtricts ſhall within Forty Days after the paſſing of this Act, meet in the Veſtry Room in the Pariſh Church of *Ramſey*, Notice being given of ſuch Meeting in the ſaid Church, or on the Weſt Door of the ſaid Church, Three Days at leaſt before ſuch Meeting, and ſhall ever after, Twice in every Year, to wit, on the Second *Tueſday* in *Auguſt*, and the Firſt *Tueſday* in *December*, and at ſuch other Times as they ſhall think proper, meet at ſome convenient Place or Places in *Ramſey* aforeſaid, to be appointed by ſuch reſpective Commiſſioners for that Purpoſe; and the Commiſſioners for Drainage ſo reſpectively aſſembled ſhall proceed to the Execution of this Act, and ſhall then and from Time to Time afterwards adjourn themſelves, to meet at ſuch other Time and Times, and Place or Places, in the ſaid Town of *Ramſey* as they ſhall think fit; and the Commiſſioners for Drainage for the ſaid reſpective Diſtricts ſhall alſo meet at any other Time and Times in the ſaid Town of *Ramſey* as often as ſhall be neceſſary and be required by any Three or more of the Commiſſioners for Drainage for ſuch Diſtricts by Writing under their Hands; but Three Days Notice at the leaſt ſhall be firſt given in the Pariſh Church of *Ramſey*, on the *Lord's Day*, immediately after Divine Service, or Notice affixed on the Weſt Door of the ſaid Church, of every ſuch Meeting which ſhall not be held by Adjournment, or on the Days appointed by this Act; and that all Meetings in purſuance of this Act ſhall be held in the Town of *Ramſey*, and at no other Place, and no more than the Sum of Five Shillings ſhall be

be expended at any One Meeting of the Commiſſioners for Drainage for the ſaid reſpective Diſtricts, out of the Monies to ariſe by virtue of this Act.

Quorum of Commiſſioners for the ſeveral Diſtricts.

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

Commiſſioner or Clerk may adjourn Meeting.

XLIX. Provided always, and be it enacted, That when and as often as it ſhall ſo happen, that a ſufficient Number of Commiſſioners for Drainage for carrying this Act into Execution, ſhall not be preſent at any ſuch Meeting, then and in every ſuch Caſe it ſhall and may be lawful to and for the Commiſſioner or Commiſſioners for Drainage for each reſpective Diſtrict, to adjourn ſuch Meeting for any Time not exceeding that Day Week; and in caſe it ſhall ſo happen that none of the Commiſſioners for Drainage ſhall attend at any ſuch Meeting, then and in every ſuch Caſe it ſhall and may be lawful to and for the Clerk to the ſaid Commiſſioners for Drainage for each Diſtrict, to adjourn ſuch Meeting for any Time not exceeding that Day Week.

Commiſſioners not to hold Places of Profit.

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

No Order made by the ſaid Commiſſioners ſhall be altered, unleſs Ten Days Notice be given.

LI. Provided alſo, and be it enacted by the Authority aforeſaid, That no Order which ſhall be made by the ſaid reſpective Commiſſioners for Drainage, or any of them, by virtue of this Act, at any of their reſpective Meetings, ſhall be altered, annulled, or made void, at any ſubſequent Meeting, unleſs Ten Days Notice at the leaſt be firſt given of every Meeting ſo held, on Two following *Sundays* immediately after Divine Service, in the Pariſh Church of *Ramſey* aforeſaid, in which ſaid Notice the Intent and Deſign of ſuch Meeting ſhall be declared.

All Proceedings to be at a Meeting.

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

LIII. And

Commissioners to make and maintain Works.

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

Entries of Proceedings good Evidence.

LIV. And be it further enacted, That fair and regular Entries shall be made, in a Book or Books to be provided for that Purpose, of all the Acts, Orders, Rules, Regulations, Directions, and Proceedings of the said respective Commissioners for Drainage, relative to the Execution of this Act, and of the Names of the respective Commissioners who shall be present at the respective Meetings, and the same shall be subscribed with the Names of Five or more of the respective Commissioners then and there present; and all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Suits, and Actions, touching any Thing done in pursuance of this Act.

Actions to be in the Name of the Clerk.

LV. And be it further enacted, That the said Commissioners for Drainage for the respective Districts, shall and may sue and be sued in the Name of their Clerk; and that no Action that may be brought or commenced by or against the said respective Commissioners for Drainage, or any of them, by virtue or on account of this Act, or of the said recited Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of such Clerk, without the Consent of the said respective Commissioners for Drainage, but the Clerk to the said respective Commissioners for Drainage for the Time being, shall always be deemed Plaintiff or Defendant in such Action, as the Case may be: Provided always, that every such Clerk, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put to or become chargeable with by Reason of his being so made Plaintiff or Defendant therein.

For appointing Officers.

LVI. And be it further enacted, That the said Commissioners for Drainage for the respective Districts shall and may, at their First or any subsequent Meeting, appoint One or more Clerk or Clerks, Treasurer or Treasurers, or Collector or Collectors, Receiver or Receivers of the Rates or Assessments, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as the said respective Commissioners

ſioners for Drainage ſhall think proper, and from Time to Time remove him or them and appoint others, as they ſhall find neceſſary or convenient; and by and out of the Monies to be raiſed by virtue of this Act, may and are hereby empowered to appoint and pay ſuch Salaries and Allowances to ſuch Officers, and to all other Perſons by them the ſaid reſpective Commiſſioners for Drainage employed in the Execution of this Act, as they ſhall think reaſonable; and the ſaid reſpective Commiſſioners for Drainage ſhall and may take ſuch Security for the due Execution of the reſpective Offices by ſuch Perſon or Perſons as aforeſaid, as the ſaid reſpective Commiſſioners for Drainage ſhall think proper, and ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates or Sums of Money hereby granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall from Time to Time be ſo appointed to collect and receive the ſame, according to the true Meaning of this Act; and all ſuch Officers and Perſons ſo to be appointed as aforeſaid ſhall, under their Hands, at ſuch Time and Times and in ſuch Manner as the ſaid reſpective Commiſſioners for Drainage ſhall direct, deliver to ſuch reſpective Commiſſioners for Drainage, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper and legal Receipts or Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid reſpective Commiſſioners for Drainage, or to ſuch Perſon or Perſons as they ſhall appoint; and all the ſaid Officers and Perſons ſo accounting as aforeſaid ſhall, upon Oath if thereunto required by the ſaid reſpective Commiſſioners for Drainage, (which Oath any One of the ſaid Commiſſioners for Drainage is hereby enabled to adminiſter), verify their ſaid Accounts; and if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to produce or deliver up the Receipts or Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid reſpective Commiſſioners for Drainage, or to ſuch Perſon or Perſons as they ſhall appoint, within Twenty-eight Days after being thereunto required by ſuch reſpective Commiſſioners for Drainage, all Books, Papers, and Writings in his or their Cuſtody or Power relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as upon the Balance of any Account or Accounts ſhall appear to be in their reſpective Hands to the ſaid reſpective Commiſſioners for Drainage, or as they ſhall direct or appoint, then and in either of the Caſes aforeſaid, ſuch reſpective Commiſſioners for Drainage may and are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions againſt the Officer or Officers, Perſon or Perſons ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid reſpective Commiſſioners for Drainage, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the County or Place wherein ſuch Officer or Officers, Perſon or Perſons ſo neglecting or refuſing ſhall be and reſide, ſuch Juſtices may and

Officers to give Security.

and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons ſo refuſing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way, and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtices may and are hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons can be found, ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame, then and in either of the Caſes aforeſaid, ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol or Houſe of Correction for the ſaid County of *Huntingdon* or the Iſle of *Ely*, as the Caſe may be, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid reſpective Commiſſioners for Drainage, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, which Compoſition the ſaid reſpective Commiſſioners for Drainage are hereby empowered to make, or until he ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid reſpective Commiſſioners for Drainage.

Perſons acting under the late Act to account.

LVII. And be it further enacted, That all and every Perſon and Perſons acting or who have acted under the ſaid recited Act of the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, who ſhall have in his, her, or their Cuſtody or Power, any Money collected by virtue of, or any Books, Papers, or Writings relating to the Execution of the ſaid recited Act, ſhall, when thereunto required, or within Twenty-eight Days after, deliver up to the ſaid reſpective Commiſſioners for Drainage appointed by this Act, all the Money received by him or them by virtue of the ſaid recited Act, and all the Books, Papers, and Writings relating to the Execution thereof; and in caſe of Neglect or Refuſal ſo to do, it ſhall and may be lawful to and for any Juſtice or Juſtices of the Peace for the County of *Huntingdon* or the Iſle of *Ely*, as the Caſe may be, to make Enquiry concerning ſuch Default either by the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, which Oath ſuch Juſtice or Juſtices is and are hereby empowered and required to adminiſter; and if it ſhall be found that any Perſon or Perſons ſhall have any Money, Books, Papers, or Writings, in his, her, or their Hands, received or poſſeſſed by virtue of the ſaid recited Act, and ſhall not pay or deliver up ſuch Money, Books, Papers, and Writings as aforeſaid, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol or Houſe of Correction, there to remain, without Bail or Mainprize, until he or ſhe ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he or ſhe ſhall have compounded with the ſaid reſpective Commiſſioners for Drainage appointed by this Act,

and

and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid reſpective Commiſſioners for Drainage are hereby empowered to make) at any Meeting to be held in purſuance of this Act, or until he, ſhe, or they ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid, or given Satisfaction to the ſaid reſpective Commiſſioners for Drainage.

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

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

Satisfaction to be made:

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

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

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

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

The Acre Tax for the reſpective Diſtricts.

LXI. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Commiſſioners for Drainage for the ſaid reſpective Diſtricts, aſſembled at their Firſt or at their Annual Meeting, or at any General Half-yearly Meeting, to aſſeſs, rate, and tax all and every the Owner and Owners, Occupier and Occupiers, of all and ſingular the Fen Lands and Low Grounds in ſuch reſpective Diſtricts, by an equal and proportionable Acre Rate or Tax, not exceeding in any One Year

 the

the reſpective Sums following; that is to ſay, not exceeding Three Shillings for every Acre in the Firſt Diſtrict, not exceeding Ten Shillings for every Acre in the Second Diſtrict, not exceeding Seven Shillings for every Acre in the Third Diſtrict, not exceeding Ten Shillings for every Acre in the Fourth Diſtrict, not exceeding Eight Shillings for every Acre in the Fifth and Sixth Diſtricts: Provided always, that all and every Acre and Acres of Land within the Whole of the ſaid Six Diſtricts, ſhall be and be deemed to be ſubject and liable to the Payment of ſuch Rate or Rates, Tax or Taxes, from and after the paſſing of this Act.

Taxes to be paid Twice in a Year.

LXII. And be it further enacted by the Authority aforeſaid, That all Taxes and Aſſeſſments ſo directed to be levied on the ſaid reſpective Diſtricts by the ſaid reſpective Commiſſioners for Drainage, ſhall be paid Twice in every Year, (that is to ſay), the Firſt Half-yearly Payment ſhall be made on or before the Firſt Day of *September*, and the other Half-yearly Payment ſhall be made on or before the Firſt Day of *February*, at ſuch Place or Places, and to ſuch Perſon or Perſons, within the Town of *Ramſey* aforeſaid, as they the ſaid reſpective Commiſſioners for Drainage, by Writing under their Hands, ſhall appoint; and the Receipt or Receipts of the Perſon or Perſons ſo appointed by the ſaid reſpective Commiſſioners for Drainage, ſhall be, and be deemed to be a ſufficient Diſcharge for the ſame.

Taxes when to be paid.

LXIII. Provided always, and be it enacted, That if any Perſon or Perſons ſhall neglect or refuſe to make Tender or Payment of ſuch Taxes or Aſſeſſments on or before the ſaid Firſt Day of *September*, or on or before the ſaid Firſt Day of *February*, at the Place or Places, and to the Perſon or Perſons ſo appointed by the ſaid reſpective Commiſſioners for Drainage, ſuch Perſon or Perſons ſhall for every ſuch Neglect or Refuſal forfeit and pay the Sum of Two-pence in every Shilling, in caſe the ſame ſhall remain due and unpaid for the Space of One Calendar Month, which Penalty and Forfeiture ſhall and may be recovered by ſuch Ways and Means as any Rates, Taxes, or Aſſeſſments, are herein directed to be recovered.

Debt of the Fourth Diſtrict to be paid for.

LXIV. And whereas the Commiſſioners for Drainage for the Fourth Diſtrict, acting by virtue and in purſuance of the ſaid recited Act of the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, have mortgaged the Taxes or Aſſeſſments directed to be levied and aſſeſſed within the ſaid Fourth Diſtrict, for a certain Sum or Sums of Money, amounting in the Whole to the Sum of Six hundred Pounds; be it therefore enacted, That it ſhall and may be lawful to and for the Commiſſioners for Drainage for the Fourth Diſtrict, to levy and aſſeſs a Rate or Aſſeſſment of Five Shillings *per* Acre, in Addition to the ſaid Sum of Ten Shilling herein-before directed to be levied and aſſeſſed on the ſaid Fourth Diſtrict, until the ſaid Sum of Six hundred Pounds, together with the Intereſt for the ſame, ſhall be paid and diſcharged; which ſaid Tax or Aſſeſſment of Five Shillings *per* Acre ſhall be applied (in the Firſt Place) to the Diſcharge of all Arrears of Intereſt now due on the ſaid Sum of Six hundred Pounds, and then to the Diſcharge of the Principal, with Intereſt thereon, and to and for no other Intent or Purpoſe whatſoever.

The *Hern* and *Gore* Commons not subject to the Debt.

LXV. Provided also, and be it enacted, That nothing herein contained shall extend, or be construed to extend, so as to enable the said Commissioners for Drainage acting for the Fourth District, to levy or assess any additional Sum or Sums of Money than the said Ten Shillings *per* Acre, herein-before directed to be levied and assessed on that Part of the Fourth District called *The Hern Common* and *Gore Common*.

Old Taxes good until new ones made.

LXVI. And be it further enacted, That each and every Tax and Assessment ordered and directed to be levied, assessed, and collected, by and under the Authority of the said recited Act of the Thirtieth Year of the Reign of His late Majesty King *George* the Second, shall and may be levied, assessed, and collected, by such Ways and Means, and under such Restrictions and Regulations as any of the Taxes or Assessments are directed in and by this Act to be levied, assessed, and collected, until new Taxes or Assessments are made, levied, and assessed, by virtue of this Act; any Thing herein contained to the contrary thereof notwithstanding.

Mortgages under former Act, good.

LXVII. And be it further enacted, That all and every Mortgage and Mortgages, Assignment and Assignments, made by virtue of the said recited Act of the Thirtieth Year of His late Majesty King *George* the Second, shall be, and be deemed to be as good and valid, to all Intents and Purposes, as if the said recited Act had not been hereby repealed.

Debts to be paid.

LXVIII. And be it further enacted by the Authority aforesaid, That all and every Debt and Debts incurred by the Commissioners for Drainage, acting by virtue and in pursuance of the said recited Act of the Thirtieth Year of His late Majesty King *George* the Second, shall be paid and discharged by each District respectively, for the better draining and preserving of which such Debt or Debts may have been incurred.

Power to distrain.

LXIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons taxed or assessed as aforesaid with the Payment of the said Taxes or Assessments, shall refuse or neglect to pay the said Taxes or Assessments charged upon him, her, or them respectively, for or on Account of their several Lands and Grounds lying within the Districts aforesaid, it shall and may be lawful for the Collector or Receiver, or Collectors or Receivers, to the said respective Commissioners for Drainage, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of Three or more of the said Commissioners for Drainage acting for their respective Districts, (which Warrant or Precept such Commissioners for Drainage, or any Three or more of them respectively, are hereby empowered and required from Time to Time to make, as Occasion shall require), to enter into and upon the said Lands and Grounds within the said Districts, 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 Taxes or Assessments, and the Arrears thereof, by Distress and Sale of the Goods and Chattels which shall be found on the Premises,

Premiſes ſo charged with any ſuch Taxes or Aſſeſſments, or the Arrears thereof as aforeſaid; and in caſe no ſufficient Diſtreſs can be found on the Premiſes, it ſhall and may be lawful for ſuch Collector or Collectors, Receiver or Receivers, or other Perſon or Perſons, by virtue of ſuch Warrant or Precept as aforeſaid, to levy the ſaid Taxes, and all Arrears for the ſame, by Diſtreſs of the Goods and Chattels of the Perſon and 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 rated, taxed, or aſſeſſed, 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 ſo taken, or Chief Bailiff of the *Iſle of Ely* (if taken within the ſaid *Iſle of Ely*) according to the Laws now in being for Diſtreſſes in caſe of Non-payment of Rent, within Five Days next after ſuch Diſtreſs made, and Notice thereof given as aforeſaid, the Perſon or Perſons ſo diſtraining may, with the Sheriff or Under Sheriff of the County, Chief Bailiff of the *Iſle of Ely*, Conſtable or Headborough of the Pariſh or Place where ſuch Diſtreſs ſhall be made (who are hereby required to aſſiſt therein) cauſe the Goods and Chattels ſo diſtrained to be appraiſed by Two or more indifferent Perſons, to be ſworn by ſuch Sheriff, Under Sheriff, Chief Bailiff, Conſtable, or Headborough, (who are hereby empowered to adminiſter ſuch Oath), to appraiſe the ſame according to the beſt of their Judgement; 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 for 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, Chief Bailiff, Conſtable, or Headborough, for the Owner's Uſe; and the Tenant and Tenants of all and ſingular the ſaid Fen Lands and Low Grounds which ſhall be rated and aſſeſſed by virtue of this Act, is and are hereby required and authorized to pay ſuch Taxes or Aſſeſſments, and deduct the ſame out of his, her, and their Rent; and every Tenant paying ſuch Tax or Aſſeſſment ſhall be acquitted and diſcharged for ſo much Money as ſuch Aſſeſſment ſhall amount unto, as if the ſame had been actually paid to the Perſon or Perſons entitled to the Rent of ſuch Fen Lands and Low Grounds (except where there is a Leaſe for Three or more Years to come from the Commencement of this Act) in which Caſe the Proportion of the Tax or Aſſeſſment which the Tenant ought to bear and pay, in Conſideration of the Benefit he or ſhe receives by ſuch Leaſe, ſhall be adjudged and awarded by the ſaid Commiſſioners for Drainage for the ſaid reſpective Diſtricts.

Tenants may deduct Taxes from their Rents.

LXX. And

Certain Lands not to be rated.

LXX. And be it further enacted, That nothing herein contained ſhall enable the ſaid Commiſſioners for Drainage for the ſaid reſpective Diſtricts, to levy or aſſeſs any Tax or Aſſeſſment upon any Part of the Lands herein contained (except on the Lands within that Part of the Fourth Diſtrict, called *The Hern Common*, and *Gore Common*) that have not been taxed, rated, aſſeſſed, and charged, by virtue of the ſaid recited Act of the Thirtieth Year of the Reign of His late Majeſty King *George* the Second.

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

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

Taxes may be aſſigned for Money borrowed.

LXXII. And it is hereby further enacted, That it ſhall and may be lawful for the Commiſſioners for Drainage for the ſaid reſpective Diſtricts, to borrow, take up, and receive, the Sum or Sums of Money herein-after directed, and by Writing under their Hands and Seals to mortgage, charge, aſſign, and convey, or incumber the Taxes or Aſſeſſments ſo to be aſſeſſed and levied within ſuch reſpective Diſtricts, with and for the Repayment of the Sums ſo borrowed, with Intereſt for the ſame, ſo as the Intereſt for ſuch Monies do not exceed the Rate of Five Pounds *per Centum per Annum*, and from Time to Time to diſcharge and repay the Sum or Sums of Money ſo borrowed, together with the Intereſt for the ſame.

Money not to be paid without Six Months Notice.

LXXIII. Provided always, and be it further enacted, That it ſhall not be lawful for the Commiſſioners for Drainage for the ſaid reſpective Diſtricts, to diſcharge the Sum or Sums of Money ſo borrowed and advanced, unleſs Six Months Notice ſhall have been previouſly given in Writing, ſigned by the Commiſſioners for Drainage of the Diſtrict (on the Credit of the Taxes and Aſſeſſments of which ſuch Sum or Sums of Money ſhall have been advanced) to the Perſon or Perſons ſo advancing ſuch Sum or Sums of Money, of ſuch their Intention to pay off and diſcharge the ſame.

The Sums to be borrowed in each reſpective Diſtrict.

LXXIV. Provided always, and be it further enacted by the Authority aforeſaid, That no more than the reſpective Sums following ſhall be borrowed or owing at any One Time upon the Credit or Security of the Taxes or Aſſeſſments in the ſaid reſpective Diſtricts; that is to ſay, in the Firſt Diſtrict, One thouſand Pounds; in the Second Diſtrict, Five hundred Pounds; in the Third Diſtrict, Five hundred Pounds; in that Part of the Fourth Diſtrict, called *Middlemore*, One thouſand two hundred Pounds; and in that Part of the ſaid Fourth Diſtrict, called *The Hern Common* and *Gore Common*, Eight hundred Pounds; in the Fifth Diſtrict, Six hundred Pounds; and in the Sixth Diſtrict, Six hundred Pounds: And that the Taxes or Aſſeſſments in each reſpective Diſtrict

ſhall not, during the Time any Principal or Intereſt Monies ſhall be due on the Security thereof, be leſs than the reſpective Sums herein-before authorized to be rated, charged, and aſſeſſed on ſuch Diſtricts.

Taxes to be Security for Monies borrowed.

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

Application of the Monies.

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

Expences of Act how to be paid.

LXXVII. And be it further enacted, That the Charges and Expences of obtaining this Act, ſhall be borne and defrayed by the Owners and Proprietors of Lands within the ſaid Six Diſtricts, in Proportion and Manner following; (that is to ſay), when the Owners and Proprietors of Lands within the ſaid Six Diſtricts, excluſive of the ſaid *Hern Common* and *Gore Common*, ſhall pay One Shilling for each and every Acre, the Owners or Proprietors of any Allotment or Allotments in the ſaid *Hern Common* or *Gore Common*, ſhall pay Three Shillings for each and every Acre, and ſo in Proportion for any greater or leſs Quantity than One Acre, or any greater or leſs Sum; and the ſaid reſpective Commiſſioners for Drainage are hereby empowered to raiſe and levy all and every Sum and Sums of Money for the Purpoſe of diſcharging ſuch Charges and Expences, by an equal Acre Tax on the ſaid Six Diſtricts, (excluſive of *The Hern Common* and *Gore Common*), in Addition to the ſaid Taxes which they are herein-before empowered to raiſe and levy for the Purpoſes of Drainage.

Commiſſioners for Drainage not to tax the Commons.

LXXVIII. Provided always, and be it enacted, That nothing herein contained ſhall enable the ſaid Commiſſioners for Drainage for the Fourth Diſtrict, to levy or aſſeſs any Tax or Aſſeſſment on that Part of the Fourth Diſtrict called *The Hern Common* and *Gore Common*, towards defraying the Charges and Expences of obtaining this Act.

Annual Meetings for paſſing Accounts.

LXXIX. And be it further enacted by the Authority aforeſaid, That Once in every Year, to wit, on the Firſt *Monday* in *July*, for the Firſt Diſtrict; on the Firſt *Tueſday* in *July*, for the Second Diſtrict; on the Firſt *Wedneſday* in *July*, for the Third Diſtrict; on the Firſt *Thurſday* in *July*, for the Fourth Diſtrict; on the Firſt *Friday* in *July*, for the Fifth Diſtrict; and on the Firſt *Saturday* in *July*, for the Sixth Diſtrict, the Commiſſioners for Drainage for the ſaid reſpective Diſtricts ſhall aſſemble; and the Commiſſioners for Drainage ſo reſpectively aſſembled, ſhall, together with ſuch Proprietors of Lands in the ſaid Diſtricts as ſhall then attend, inſpect the Receipt and Expenditure of the Monies which ſhall have been raiſed by virtue of this Act, within or in relation to ſuch reſpective Diſtricts, for the Space of One whole Year then laſt paſt; and all Accounts relating to the ſame ſhall be then made up and ſettled by the ſaid Commiſſioners for Drainage and Proprietors, or the major Part of them, ſo aſſembled; and ſuch Account or Accounts, or ſuch Part or Parts thereof ſhall be fairly entered in Two diſtinct and ſeparate Books, to be kept for each Diſtrict for that Purpoſe, whereof One Set ſhall be kept by the Treaſurer or Treaſurers, or ſuch other Perſon or Perſons for each Diſtrict reſpectively, as the ſaid reſpective Commiſſioners ſhall appoint, and the other Set thereof ſhall be depoſited in the Veſtry Room of the Pariſh Church of *Ramſey*, and the laſt-mentioned Set of Books ſhall and may be inſpected and peruſed at any Time, at ſeaſonable Hours, by or at the Requeſt of any Perſon or Perſons, or of his, her, or their Agent or Agents, rated or taxed in purſuance of this Act, within ſuch reſpective Diſtrict, without Fee or Reward.

Overfalls, where to be erected.

LXXX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage for the Firſt Diſtrict, ſhall erect or cauſe to be erected, and kept in Repair, Three Overfalls in *Bury* Fen, and One Overfall in *Wiſtow* Fen Drain.

The Mill or Mills to be kept in repair at the Opening of *Aſh Drain* into *Forty Foot* River.

LXXXI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage for the Firſt Diſtrict ſhall, and they are hereby required from Time to Time, and at all Times hereafter, to ſupport and maintain the Mill erected on the *Forty Foot* River Bank, between *Dawſon*'s Mill and *Puddock's Drove*, and the Two Mills erected at or near the Opening of the Drain called *Aſh Drain* into the *Forty Foot* River, or any other Mills that ſhall or may be erected there for the Benefit of the ſaid Diſtrict, whether ſuch Opening ſhall remain where it now is, or be made into any other Part of the ſaid *Forty Foot* River, as ſhall be ſufficient for throwing out and diſcharging the Waters from ſuch Drain into the ſaid *Forty Foot* River, at ſuch reſpective Opening aforeſaid, and to cauſe the ſame to be worked in ſuch Manner, and as often as ſhall be neceſſary for diſcharging the Waters out of the ſaid Drain, and for preventing the Overflowing of the adjacent Lands; and the ſaid Commiſſioners for Drainage, with the Conſent or Allowance of the Corporation of *Bedford Level*, ſhall from Time to Time raiſe, ſtrengthen, and ſupport, and keep imbanked,

Aſh Drain, and *Wiſtow Fen Drain* to be kept open

banked, the Banks on both Sides the ſaid *Aſh Drain*, from the *Forty Foot* River to *Wiſtow Fen Drain*; and alſo the Banks on both Sides any new Cut which ſhall be made from the ſaid *Aſh Drain*, near the preſent or any future Opening of the ſaid *Aſh Drain* into the *Forty Foot* River; and alſo the Bank on the Lands of *Barnabas Brighty*, from the Eaſt Bank of *Aſh Drain* next *Wiſtow Fen* to *Puddock's Drove*; and alſo the Bank on the *Hollowhead Lots*, from the Weſt Bank of the ſaid *Aſh Drain* next *Wiſtow* and *Bury Fen* to a Highland Cloſe of *John Beard*, called *A Hollowhead Lot*; and ſhall ſcour out and maintain the ſaid *Aſh Drain* Fourteen Feet wide at the Top, Ten Feet at the Bottom, and not leſs than Five Feet deep from the Surface of the adjacent Lands; and *Wiſtow Fen Drain*, Twelve Feet wide at Top, Nine Feet at Bottom, and not leſs than Four Feet deep from the Surface of the adjacent Lands; and alſo ſhall ſcour out, and maintain the Drain which divides the Pariſhes of *Ramſey* and *Bury*, and the Drain called *Bury Fen Drain*, from the Lands called *Willow Row*, by the *Adventurers Land* of *Abraham Staffurth*, through *Bury Fen*, to the Drain which divides the ſaid Pariſhes of *Ramſey* and *Bury*, Ten Feet Wide at Top, Eight Feet at the Bottom, and not leſs than Four Feet deep from the Surface of the adjacent Lands, and that Four Tunnels be fixed in the moſt convenient Places to be appointed by the Commiſſioners for Drainage of *Bury*, at the general Expence of the Firſt Diſtrict.

with Conſent of the Corporation of *Bedford Level.*

LXXXII. And be it further enacted, That the Commiſſioners for Drainage of the Fourth Diſtrict, ſhall erect or cauſe to be erected Three Mills within the ſaid Fourth Diſtrict, of the Size and Dimenſions herein directed; that is to ſay, the Length of each and every Sail of each and every Mill ſhall be at the leaſt Thirty-eight Feet, the Water Wheel of each and every Mill ſhall be at the leaſt Nineteen Feet and Six Inches in Diameter, and each and every Ladle affixed to each and every Water Wheel ſhall be of the Breadth of at leaſt Twenty Inches; and they the ſaid Commiſſioners ſhall erect or cauſe to be erected the ſaid Mills at the Places following; that is to ſay, One of the ſaid Mills ſhall be erected near or adjoining to *Bevill's* River, ſo as to diſcharge the Waters into the ſaid River; and the ſaid Commiſſioners for Drainage for the Fourth Diſtrict, ſhall cauſe the other Two Mills to be erected at ſuch Places as they the ſaid Commiſſioners ſhall think moſt for the Benefit of the ſaid Fourth Diſtrict, and ſhall from Time to Time and at all Times hereafter ſupport and maintain ſuch Mills at ſuch reſpective Places, and ſhall cauſe the ſame to be worked in ſuch Manner, and as often as ſhall be neceſſary for diſcharging the Waters out of the ſaid Fourth Diſtrict, and for preventing the adjacent Lands from being overflowed.

Mills to be erected.

LXXXIII. And be it further enacted by the Authority aforeſaid, That all the Mills which ſhall be erected or employed by virtue of this Act for diſcharging the Waters from the Fourth Diſtrict, ſhall be erected and placed in ſuch Manner as to diſcharge ſuch Waters directly into *Bevill's* River, the River *Nene*, *Whittleſea Meer* or *Upwood Drain*, and not otherwiſe; any Thing herein-before contained to the contrary notwithſtanding.

Mills, where to diſcharge their Water.

LXXXIV. And be it further enacted by the Authority aforeſaid, That if the Bank called *Northey Bank* ſhall not at any Time hereafter be effectually repaired and maintained by the Corporation of the Great Level of the Fens called *Bedford Level*, it ſhall and may be lawful to and for the

Northey Bank may be repaired.

the Commiſſioners for Drainage for the ſaid Firſt Diſtrict, with the Conſent of the ſaid Corporation, from Time to Time to heighten, ſtrengthen, and ſupport, the ſaid Bank in ſuch Manner as they ſhall think proper, and to defray the Expence thereof out of the Taxes ariſing within ſuch Diſtrict.

Commiſſioners may repair a Bridge.

LXXXV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage for the Third Diſtrict ſhall and are hereby required to repair, maintain, and ſupport the Bridge over the *Bill* River, and to defray the Expence thereof out of the Taxes or Aſſeſſments to be raiſed within ſuch Diſtrict.

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

LXXXVI. And it is hereby further enacted by the Authority aforeſaid, That all Owners and Occupiers of Lands lying and being within the ſaid Diſtricts, ſhall from Time to Time and at all Times hereafter keep or cauſe to be kept all the Outring or Diviſion Dikes or Drains belonging to them reſpectively, except ſuch as are herein directed to be done by the Commiſſioners for Drainage, of a ſufficient Depth, and of the Breadth or Wideneſs of Nine Feet at the leaſt, and ſhall alſo from Time to Time and at all Times hereafter cauſe the ſame Drains or Dikes to be well and effectually roaded, ſcoured, and cleanſed from Weeds, and other Rubbiſh and Obſtructions, and cauſe Tunnels to be laid therein, where neceſſary, for the better iſſuing, running, and conveying away the Waters therein; and if any ſuch Owner or Occupier ſhall not, within Fourteen Days next after Notice and Direction in that Behalf in Writing, under the Hands of Three or more of the Commiſſioners for Drainage for the Diſtrict where ſuch Lands lie reſpectively, ſhall be given to him or her, or left at the uſual Place of Abode of the Occupier of ſuch Lands, or affixed on ſome conſpicuous Part of *Ramſey* Bridge (in caſe ſuch Place of Abode be above the Diſtance of Seven Miles from ſuch Lands, or ſhall not be known) cauſe or procure ſuch Drains or Dikes to be roaded, ſcoured, cleanſed, deepened, and widened reſpectively, and ſuch Tunnels to be laid in purſuance of and according to ſuch Notice and Direction, the Commiſſioners for Drainage for ſuch reſpective Diſtrict wherein ſuch Work is directed to be done as aforeſaid, or any Three or more of them, ſhall and may, and they are hereby authorized and required to cauſe the ſame to be done in a proper and effectual Manner, and by Warrant or Precept under their Hands and Seals, or the Hands and Seals of any Three or more of them, to authorize and empower their Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, or any other Perſon or Perſons, to levy and raiſe the Charge and Expence of doing thereof, by Diſtreſs and Sale of ſuch Goods and Chattels as ſhall at any Time thereafter be found on the Lands to which ſuch Drains or Dikes, Bridges or Tunnels, ſhall appertain or belong, rendering the Overplus (if any) to the Owner or Owners thereof; and every ſuch Owner or Occupier, for every ſuch Neglect, ſhall forfeit the Sum of Three-pence for every Rod of the Drain or Dike ſo neglected to be deepened, widened, roaded, ſcoured, or cleanſed.

No Cut to be made in Whole Lands.

Exception.

LXXXVII. Provided always, and it is hereby enacted by the Authority aforeſaid, That no Mill Drains for conveying the Water to any Mill ſhall be cut in the whole Lands of any Perſon or Perſons within the ſaid Fen Lands or Low Grounds, except in ſuch Parts thereof as are Adventurers,

turers Land or other Grounds which contain Ten Acres and upwards, nor ſhall any ſuch Cut or Drain be made in *Bury Fen*, but that the Water ſhall be iſſued and conveyed through the Outring or Diviſion Ditches only.

Penalty on making Sock-dikes, &c.

LXXXVIII. And it is hereby further enacted, That if any Perſon or Perſons ſhall make any Sock-dike or Sock-gripple on any of the ſaid Fen Lands and Low Grounds within the Diſtance of Ten Feet, in the Firſt, Second, Third, Fifth, or Sixth Diſtricts, or within Sixty-ſix Feet in that Part of the Fourth Diſtrict called *Middlemore*, nor nearer than Fifteen Feet in that Part of the Fourth Diſtrict called *The Hern Common* and *The Gore Common*, from any of the Banks which now are or hereafter ſhall or may be made for keeping off the Waters from any of the ſaid Fen Lands and Low Grounds, or more than One Foot deep in any of the ſaid Diſtricts, every ſuch Perſon ſo offending ſhall forfeit and pay the Sum of Three-pence for every Foot in Length of ſuch Sock-dikes or Sock-gripples, for every Month during which the ſame ſhall be continued.

Certain Works to be drained ſeparately.

LXXXIX. Provided always, and be it further enacted by the Authority aforeſaid, That no Communication ſhall be made between the Waters draining from the Lands in *Middlemore* and the *Steads*, and the Waters draining from the Lands called the *Gore Farms*, the Lands belonging to the Right Honourable Lord *Eardley*, Sir *John Smith* Baronet, and *Edward Knipe* Eſquire, but that the ſaid Waters draining from *Middlemore* and the *Steads* ſhall be ſeparately and diſtinctly drained from the Waters draining from the Lands called the *Gore Farms*, the Lands belonging to the Right Honourable Lord *Eardley*, Sir *John Smith* Baronet, and *Edward Knipe* Eſquire.

Delph Dike to remain dammed up.

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

Lands which ſhall not be cut.

XCI. Provided always, That no Part of the ſeveral Lands in the *Bill* or *Stocking Fen*, ſhall be cut for the Purpoſes of Banking at any Time whatſoever.

Commiſſioners may dig Earth in the Waſtes.

XCII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid reſpective Commiſſioners for Drainage, to dig and take away any Earth or other Materials in any Common Lands and Waſte Grounds within any Pariſh in which any Part of the ſaid Diſtricts are ſituated (Drove Ways and Roads only excepted) without making Pay-

ment for the ſame, for the Purpoſes of embanking and preſerving ſuch Diſtricts; and in caſe there ſhall be no Common Lands or Waſte Grounds within any of the ſaid Pariſhes, where ſuch Earth or other Materials can be procured, it ſhall and may be lawful to and for the ſaid Commiſſioners to purchaſe and procure Highland Earth for ſuch Purpoſes.

Commiſſioners of the Fifth and Sixth Diſtricts to dig Earth.

XCIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners for Drainage for the Fifth and Sixth Diſtricts, to enter into or upon any Lands and Grounds within the ſaid Fifth and Sixth Diſtricts, and to take, dig, and carry away from the ſame any Earth for the Purpoſes of embanking in the ſaid Fifth and Sixth Diſtricts, paying to the Owner or Owners, or Proprietor or Proprietors of ſuch Earth, the Sum of Five Shillings for every Floor of Earth containing Eighteen Square Feet, and of the Depth of Ten Inches: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend ſo as to enable the ſaid Commiſſioners for Drainage to dig Twice in the ſame Spot, or to a greater Depth than the ſaid Ten Inches; or to take or dig any more Earth in any Lands adjoining to any River than ſhall be ſufficient for the maintaining and preſerving that Part of the Bank of ſuch River, ſituate, lying, and being within ſuch Lands.

Turves may be dug, under certain Reſtrictions.

XCIV. And be it further enacted, That if any Perſon or Perſons ſhall cut or dig, or cauſe to be cut or dug, any Hods, Turves, or Seſſes, from any Part or Parts of the ſaid Diſtricts, or any of them (ſave and except for his, her, or their own Uſe and Conſumption, or for the Uſe and Conſumption of his, her, or their Labourers or Tenants within their reſpective Dwelling Houſes) ſuch Perſon or Perſons ſhall forfeit and pay the Sum of Five Pounds for every Thouſand of Hods, Turves, or Seſſes ſo cut or dug, and ſo in Proportion for any greater or leſs Number; and if any Perſon or Perſons ſhall cut or dig, or cauſe to be cut or dug, any Hods, Turves, or Seſſes in the ſaid Diſtricts, within Sixty Feet of any Bank made or to be made by virtue of the ſaid recited Act of the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, or of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds for every Thouſand of ſuch Hods, Turves, or Seſſes, ſo cut or dug, and ſo in Proportion for any greater or leſs Number.

Commiſſioners of the Fourth and Fifth Diſtricts to cradge from *Botſey* Bridge, &c.

XCV. And be it further enacted, That when and as often as *Meerſide* or *Glaſſmore* ſhall be overflowed with Water, it ſhall and may be lawful to and for the Commiſſioners for Drainage of the Fourth and Fifth Diſtricts, to cradge, throw, or lay up, or cauſe to be cradged, thrown, or laid up, Earth on the Road leading from *Bodſey* Bridge to the Extent of the Bounds of the Pariſh of *Ramſey*, and from thence acroſs *Delph* Dike along the Bounds of *Middlemore*.

A Staunch to be erected in *Hun's Drove*.

XCVI. And be it further enacted, That the ſaid Commiſſioners for Drainage for the ſaid Sixth Diſtrict ſhall, and they are hereby required, within Two Calendar Months after the paſſing of this Act, to erect or cauſe to be erected, and from Time to Time to maintain and keep in Repair, a Staunch or Staunches, at or near to a certain Place where a Staunch has been heretofore fixed, in *Hun's Drove* within the ſaid Sixth

Diſtrict, of ſuch Size and Dimenſions as to prevent and hinder the Water flowing from or out of the *Meerſide Lots* into the Lands of the ſaid *William Fellowes*, on the North Side of the ſaid *Hun's Drove*, called *The One hundred and eighty Acres*, next *Glaſſmore*, and the Fifty Acres of Land of *Henry Ibberſon* next *Glaſſmore*, on the ſame Side of the ſaid Drove called *Hun's Drove:* Provided always, that the ſaid Staunch or Staunches ſhall be and be kept locked down, ſave and except ſuch Time or Times as the Mill or Mills erected, or to be erected in the ſaid Sixth Diſtrict, ſhall be going or employed in diſcharging the Waters out of the ſaid Sixth Diſtrict.

Commiſſioners of the Fourth, Fifth, and Sixth, Diſtricts in certain Caſes to repair *Dantree Bank*.

XCVII. And whereas a certain Bank ſituated, lying, and being in the ſaid Pariſh of *Ramſey*, called *Dantree Bank*, is or ought to be maintained, repaired, and ſupported, by the Owner or Owners, or the Occupier or Occupiers of a certain Farm called *Dantree Farm*; provided therefore, and be it enacted, That when and ſo often, through the Neglect or Default of the Owner or Owners, or the Occupier or Occupiers of the ſaid Farm, the ſaid Bank or the Works of or belonging thereto, ſhall not be in ſuch good and ſufficient Repair as they might or ought to be, it ſhall and may be lawful to and for the Commiſſioners for Drainage of the Fourth, Fifth, and Sixth Diſtricts, or any Three or more of them, to cauſe the ſame to be put into good and ſufficient Repair and Condition; and the Owner or Owners, Occupier or Occupiers, of ſuch Farm, is and are hereby required to pay the full Charges and Expences thereof to the Receiver or Receivers, Treaſurer or Treaſurers to the ſaid Commiſſioners for Drainage of the Fourth, Fifth, or Sixth Diſtricts, within Twenty-eight Days after Demand made thereof, in Writing, by the ſaid Receiver or Receivers, Treaſurer or Treaſurers; and in caſe of Non-payment thereof within the Time limited for ſuch Payment as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Commiſſioners for Drainage, or any Three or more of them, and they are hereby authorized and empowered, by Warrant under their Hands and Seals, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners, or Occupier or Occupiers of the ſaid Farm, which ſhall be found on the ſaid Farm; and in caſe the Occupier or Occupiers of the ſaid Farm ſhall be a Tenant or Tenants thereof, ſuch Tenant or Tenants may deduct the Sum or Sums of Money ſo paid by him, her, or them, to the Receiver or Receivers, or Treaſurer or Treaſurers of the ſaid Commiſſioners for Drainage, out of his, her, or their Rent or Rents, unleſs bound by Leaſe or Agreement to keep the ſame in good and ſufficient Repair.

Owners of *Dantree* Farm in certain Caſes to repair the Banks in the Fourth, Fifth, and Sixth, Diſtricts.

XCVIII. And be it further enacted, That if any of the Banks or Works of or belonging to the ſaid Fourth, Fifth, or Sixth Diſtricts, ſhall not be in ſuch ſufficient Repair and Condition as they might or ought to be, it ſhall and may be lawful to and for the Owner or Owners, or Occupier or Occupiers of the ſaid *Dantree* Farm, to amend and put the ſame into good and ſufficient Repair and Condition; and the Treaſurer or Receiver of ſuch Diſtrict, wherein ſuch Neglect or Default ſhall happen as aforeſaid, ſhall and he is hereby required to pay the full Charges and Expences thereof to ſuch Owner or Owners, or Occupier or Occupiers, on his, her, or their producing proper Vouchers for the Money ſo laid out and expended, within Twenty-eight Days after Demand thereof from

from the ſaid Treaſurer or Receiver; and in caſe of Non-payment thereof within the Time limited for ſuch Payment, that then it ſhall and may be lawful to and for any Juſtice of the Peace for the County of *Huntingdon* or *Iſle of Ely* (upon Oath made to him of ſuch Demand, and of ſuch Neglect or Refuſal), by Warrant under his Hand and Seal, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners, or Occupier or Occupiers of the Lands or Grounds in ſuch reſpective Diſtrict wherein ſuch Neglect or Default ſhall happen to be made as aforeſaid; and that it ſhall and may be lawful to and for the Owner or Owners, or Occupier or Occupiers of ſuch Lands or Grounds wherein or whereon ſuch Diſtreſs ſhall be had and taken as aforeſaid, to bring an Action againſt the Commiſſioners of ſuch reſpective Diſtrict, for the Sum or Sums of Money by him, her, or them ſo paid, or to deduct the Sum or Sums of Money by him, her, or them ſo paid, out of the Taxes due or to grow due to the ſaid Commiſſioners for Drainage, for the ſaid Lands and Grounds where ſuch Diſtreſs or Diſtreſſes ſhall be ſo made.

General viſiting Clauſe to view and repair ſuch Works as ſhall be neglected in any of the ſaid Diſtricts.

XCIX. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners for Drainage of the ſaid Fourth, Fifth, and Sixth Diſtricts, or any Three or more of them reſpectively, and they are hereby authorized and empowered, in the Firſt Week in every Year, or at any other Time or Times which they ſhall appoint for that Purpoſe, to enter into and upon the ſeveral Lands and Grounds lying or being within any of the ſaid Diſtricts, in order to view the ſeveral and reſpective Banks and Works thereof, and to ſee that the ſame are in good and ſufficient Repair; (that is to ſay), the ſaid Commiſſioners for Drainage for the ſaid Fourth Diſtrict, or any Three or more of them, as aforeſaid, ſhall and may enter into and upon the ſeveral Lands and Grounds lying within the Limits of the ſaid Fifth and Sixth Diſtricts, and the ſaid Commiſſioners for Drainage for the ſaid Fifth Diſtrict, or any Three or more of them, ſhall and may enter into and upon the ſeveral Lands and Grounds lying or being within the Limits of the ſaid Fourth and Sixth Diſtricts, and the ſaid Commiſſioners of the ſaid Sixth Diſtrict, or any Three or more of them, ſhall and may enter into and upon the ſeveral Lands and Grounds lying or being within the Limits of the ſaid Fourth and Fifth Diſtricts, in order to view the ſeveral Banks and Works of or belonging to each reſpective Diſtrict as aforeſaid, and ſhall, at a Meeting to be by them reſpectively appointed for each reſpective Diſtrict, make their Report of the ſame to ſuch Commiſſioners for Drainage for each reſpective Diſtrict as ſhall be then and there aſſembled; and in caſe it ſhall appear that through the Neglect or Default of the Commiſſioners for Drainage of either of the ſaid Diſtricts, any of the Banks or Works of or belonging thereto are not in ſuch good and ſufficient Repair and Condition as they might or ought to be, it ſhall and may be lawful to and for the Commiſſioners for Drainage of ſuch other Diſtricts, or any Three or more of them, to give Notice in Writing to the Commiſſioners for Drainage of ſuch Diſtrict wherein ſuch Neglect or Default ſhall happen as aforeſaid, or to any Three or more of them, or to their Surveyor or Surveyors, or Officer or Officers for the Time being, to repair and amend the ſame; and in caſe the ſaid Commiſſioners for Drainage of ſuch Diſtrict wherein ſuch Neglect or Default ſhall happen or

or arife, ſhall neglect or refuſe to repair and amend the ſame in a proper Manner for Twenty-eight Days after ſuch Notice ſhall have been given as aforeſaid, it ſhall and may be lawful to and for the Commiſſioners for Drainage of ſuch other Diſtrict or Diſtricts, or any Three or more of them reſpectively, to order and direct their Officers, with ſuch Workmen as they ſhall think proper, to enter into and upon the Lands and Grounds whereon or wherein ſuch Neglect or Default ſhall happen as aforeſaid, and to repair, amend, and put into good and ſufficient Repair and Condition, all ſuch Banks and Works as ſhall be ſo out of Repair and Condition, and to do all ſuch others Matters and Things as ſhall be, or become requiſite or neceſſary to be done, for or by reaſon or means of ſuch Neglect or Refuſal as aforeſaid; and that the Treaſurer or Receiver of ſuch Diſtrict wherein ſuch Neglect or Default ſhall happen as aforeſaid, ſhall, and he and they is and are hereby required to pay the full Charges and Expences thereof to ſuch Officer or Officers, on his or their producing proper Vouchers for the Money laid out and expended therein within Twenty-eight Days after Demand made thereof from the ſaid Treaſurer or Receiver; and in caſe of Non-payment thereof within the Time above limited for ſuch Payment as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Commiſſioners for Drainage, or any Three or more of them reſpectively, and they are hereby authorized and empowered, by Warrant under their Hands and Seals, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Occupier or Occupiers of the Lands or Grounds in ſuch reſpective Diſtrict wherein ſuch Neglect or Default ſhall happen to be made as aforeſaid; and that it ſhall and may be lawful for the Owner or Owners, Occupier or Occupiers of ſuch Lands or Grounds wherein or whereon ſuch Diſtreſs ſhall be had or taken as aforeſaid, to bring an Action againſt the Commiſſioners of ſuch reſpective Diſtrict, for the Sum or Sums of Money by him, her, or them, ſo paid, or to deduct the Sum or Sums of Money by him or them ſo paid out of the Taxes due or to grow due to the ſaid Commiſſioners for Drainage, for the ſaid Lands and Grounds where ſuch Diſtreſs or Diſtreſſes ſhall be ſo made.

Viſiting Clauſe for *Dantree* Farm.

C. And be it further enacted, That it ſhall and may be lawful to and for the Owner or Owners, Occupier or Occupiers of the ſaid *Dantree* Farm, or his, her, or their Agent or Agents, and he, ſhe, and they are hereby authorized and empowered, in the Firſt Week in *June* in each and every Year, or at any other Time or Times which he, ſhe, or they ſhall appoint, to enter into and upon the ſeveral Lands and Grounds lying or being within the ſaid Fourth, Fifth, and Sixth Diſtricts, in order to view the ſeveral and reſpective Banks and Works thereof, and to ſee that the ſame are in good and ſufficient Repair; and alſo it ſhall and may be lawful to and for the Commiſſioners for Drainage of the ſaid Fourth, Fifth, and Sixth Diſtricts, or any Three or more of the Commiſſioners for Drainage of ſuch Diſtricts reſpectively, and they are hereby authorized and empowered, in the Firſt Week in *June* in each and every Year, or at any other Time or Times which they, or any Three or more of them, reſpectively, ſhall appoint, to enter into and upon the ſaid *Dantree* Farm in order to view the ſeveral Banks and Works thereof, and to ſee that the ſame are in good and ſufficient Repair; and in caſe it ſhall appear that through the Neglect or Default of the Com-

missioners for Drainage of any of the said Districts any of the Banks or Works of or belonging thereto are not in such good and sufficient Repair as the same might or ought to be, it shall and may be lawful to and for the Owner or Owners, Occupier or Occupiers, of the said *Dantree* Farm, to give Notice in Writing to the Commissioners for Drainage of such District wherein such Neglect or Default shall happen as aforesaid, or any Three or more of them, or to their Surveyor or Officer for the Time being, to repair and amend the same; and in case the said Commissioners for Drainage of such District wherein such Neglect or Default shall happen or arise, shall neglect or refuse to repair and amend the same in a proper Manner for Five Days after such Notice shall have been given as aforesaid, it shall and may be lawful to and for the Owner or Owners, Occupier or Occupiers of the said *Dantree* Farm, or his, her, or their Agent or Agents, to order and direct such Workmen as he, she, or they shall think proper, to enter into and upon the Lands and Grounds whereon or wherein such Neglect or Default shall happen as aforesaid, and to repair, amend, and put into good and sufficient Repair and Condition, all such Banks and Works as shall be so out of Repair and Condition, and to do all such other Matters and Things as shall be or become requisite or necessary to be done, for or by reason or means of such Neglect or Refusal as aforesaid; and the Treasurer or Receiver of such District, wherein such Neglect or Default shall happen as aforesaid, shall and he is hereby required to pay the full Charges and Expences thereof to such Owner or Owners, or Occupier or Occupiers, of the said *Dantree* Farm, or to his, her, or their Agent or Agents, on his, her, or their producing proper Vouchers for the Money so laid out and expended, within Twenty-eight Days after Demand thereof from the said Treasurer or Receiver; and in case of Non-payment thereof within the Time limited for such Payment, that then it shall and may be lawful to and for any Justice of the Peace for the County of *Huntingdon*, or *Isle of Ely* (upon Oath made to him of such Demand, and of such Neglect or Refusal), by Warrant under his Hand and Seal, to levy the same by Distress and Sale of the Goods and Chattels of the Owner or Owners, or Occupier or Occupiers of the Lands or Grounds in such respective District wherein such Neglect or Default shall happen as aforesaid; and that it shall and may be lawful to and for the Owner or Owners, or Occupier or Occupiers of such Lands or Grounds wherein or whereon such Distress shall be had and taken as aforesaid, to bring an Action against the Commissioners of such respective District for the Sum or Sums of Money by him, her, or them so paid, or to deduct the Sum or Sums of Money by him, her, or them so paid, out of the Taxes due or to grow due to the said Commissioners for Drainage for the said Lands and Grounds where such Distress or Distresses shall be so made; and in case it shall appear, that through the Neglect or Default of the Owner or Owners, or the Occupier or Occupiers of the said Farm, the said Bank or the Works of or belonging thereto, shall not be in such good and sufficient Repair as they might or ought to be, it shall and may be lawful to and for the Commissioners for Drainage of the Fourth, Fifth, and Sixth Districts, or any Three or more of them respectively, to cause the same to be put into good and sufficient Repair and Condition; and the Owner or Owners, Occupier or Occupiers of such Farm, is and are hereby required to pay the full Charges and Expences thereof to the Receiver or Receivers, Treasurer or Treasurers to the said Commissioners for Drainage of the Fourth, Fifth, or Sixth Districts,

tricts, who may have repaired the ſame, as the Caſe may be, within Twenty-eight Days after Demand made thereof, in Writing, by the ſaid Receiver or Receivers, Treaſurer or Treaſurers; and in caſe of Non-payment thereof within the Time limited for ſuch Payment as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Commiſſioners for Drainage, or any Three or more of them, and they are hereby authoriſed and empowered, by Warrant under their Hands and Seals, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners, or Occupier or Occupiers of the ſaid Farm, which ſhall be found in the ſaid Farm; and in caſe the Occupier or Occupiers of the ſaid Farm ſhall be a Tenant or Tenants thereof, ſuch Tenant or Tenants may deduct the Sum or Sums of Money ſo paid by him, her, or them, to the Receiver or Receivers, or Treaſurer or Treaſurers of the ſaid Commiſſioners for Drainage, out of his, her, or their Rent or Rents, unleſs bound by Leaſe or Agreement to keep the ſame in good and ſufficient Repair.

In Caſes of actual Breach of Banks, Commiſſioners of the other Diſtrict may repair the ſame, on Neglect of the Commiſſioners for the Diſtrict where ſuch Breach ſhall happen.

CI. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the Commiſſioners for Drainage of the ſaid Fourth, Fifth, or Sixth Diſtricts reſpectively, ſhall at any Time hereafter neglect or refuſe to take or ſtop any Breach or Breaches, or Overflowing of the Waters, which may at any Time hereafter reſpectively happen in or upon any of the Banks of or belonging to the ſaid reſpective Diſtricts, it ſhall and may be lawful to and for the Commiſſioners for Drainage of ſuch other Diſtrict or Diſtricts, or any Three or more of them, to order and direct their Officer or Officers, with ſuch Workmen as they ſhall think proper, to enter into and upon the Lands and Grounds wherein or whereon ſuch Breach or Breaches, or Overflowing, ſhall happen as aforeſaid, and to take, ſtop, and repair the ſame in ſuch Manner as they ſhall judge neceſſary, and to do all ſuch other Matters and Things as ſhall be or become neceſſary to be done by reaſon or means of ſuch Neglect or Refuſal as aforeſaid; and ſhall proceed in the ſame Manner for recovering and receiving the Coſts and Charges neceſſarily occaſioned thereby, as ſuch Commiſſioners for Drainage are reſpectively herein-before authorized and empowered to proceed for recovering the Coſts and Charges which may be occaſioned by repairing and amending ſuch Parts of the ſaid Banks as ſhall be neglected or refuſed to be done by the Commiſſioners for Drainage in each reſpective Diſtrict.

In caſe of actual Breach of *Dantree Bank*, Commiſſioners may repair.

CII. Provided always, and be it further enacted, That in caſe the Owner or Owners, Occupier or Occupiers, of the ſaid *Dantree* Farm, ſhall at any Time hereafter neglect or refuſe to take or ſtop any Breach or Breaches, or Overflowing of the Waters, which may at any Time hereafter happen in or upon any Part of the Bank of or belonging to the ſaid *Dantree* Farm, it ſhall and may be lawful to and for the Commiſſioners for Drainage of any of the ſaid Diſtricts, or any Three or more of them, to order and direct their Officer or Officers, with ſuch Workmen as they ſhall think proper, to enter into and upon ſuch Part or Parts of the ſaid *Dantree* Farm, wherein or whereon ſuch Breach or Breaches or Overflowing ſhall happen as aforeſaid, and to take, ſtop, and repair the ſame in ſuch Manner as they ſhall judge neceſſary, and to do all ſuch other Matters and Things as ſhall be or become neceſſary to be done by reaſon or means of ſuch Neglect or Refuſal as aforeſaid, and ſhall proceed in the ſame Manner for recovering and receiving the Coſts and Charges neceſſarily occaſioned

occaſioned thereby, as the ſaid Commiſſioners for Drainage are hereinbefore authoriſed and empowered to proceed, for recovering the Coſts and Charges which may be occaſioned by the repairing and amending ſuch Parts of the ſaid *Dantree* Bank as ſhall be neglected or refuſed to be done by the Owner or Owners, Occupier or Occupiers of the ſaid *Dantree* Farm.

Trees to be taken down.

CIII. And be it further enacted, That it ſhall be lawful for ſuch Perſon or Perſons as ſhall be authoriſed for that Purpoſe by the reſpective Commiſſioners for Drainage, from Time to Time, to cut or take down any Trees, Holts, or other Obſtructions (ſave and except any Houſes, Barns, or Meſſuages now erected and built), which ſhall be growing or ſtanding within the Diſtance of Sixty Poles from any Mill erected or employed for the Purpoſes of this Act, making ſuch Satisfaction to the Owner of ſuch Trees, Holts, or other Obſtructions, as ſhall be agreed upon between ſuch Owner and the Commiſſioners for Drainage for the reſpective Diſtrict; or in caſe of any Difference, as ſhall be aſcertained by the Juſtices of the Peace at any Quarter Seſſion which ſhall be held for the County or Place wherein ſuch Trees, Holts, or other Obſtructions were ſo cut or taken down, within Four Months after the cutting or taking down thereof.

Not to injure Lord *Eardley*'s Plantations,

CIV. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to empower the Commiſſioners for Drainage of the ſaid Fourth Diſtrict, to cut or take down, or in anywiſe to injure, hurt, or deſtroy, any Plantation or Plantations now made and belonging to and the Property of the Right Honourable Lord *Eardley* in the ſaid Fourth Diſtrict: Provided alſo, that nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to empower the ſaid Commiſſioners for Drainage of the ſaid Fourth Diſtrict to cut down, injure, or deſtroy, any Oſier Holts in the Lands of *Edward Knipe* in the ſaid Fourth Diſtrict, which ſhall not exceed the Growth of Two Years.

or *Edward Knipe*'s Oſiers.

Perſons diſcharging Water by any Engine, except into the River *Nene*, &c. ſhall forfeit 50*l.*

CV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall erect, ſet up, uſe, or work, any Horſe, Mill, Gigg, or other Engine or Device whatſoever, for draining or diſcharging Water from any Lands in any of the ſaid Diſtricts, through or upon the Lands of any other Perſon or Perſons within ſuch Diſtricts, or in any other Manner than directly and immediately from the Lands of the reſpective Owner of ſuch Mill, Gigg, Engine, or Device, into the River *Nene*, *Whittleſea Meer*, *Bevill's Leam*, *Ramſey High Load*, the *Bill Load*, the *Forty Foot River*, or the new Cut or River on the North Side of *Ramſey Meer*, or that Part of *Upwood Drain* near to the Side of the Scite of the *Gore Mill*, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon who will ſue for the ſame, and the Owner of ſuch Mill, Gigg, Engine, or Device, ſhall alſo make full Compenſation and Satisfaction to all and every Perſon and Perſons who ſhall be injured thereby, for the Damage ſuch Perſon or Perſons ſhall thereby ſuſtain; and ſuch Penalty, Compenſation, and Satisfaction, ſhall be recovered, together with full Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record

at *Weſtminſter*, in which no Eſſoign, Protection, Privilege, or Wager of Law, or more than One Imparlance ſhall be allowed.

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

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

Allowance to be made from the Fourth to the Fifth Diſtrict.

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

Dams to be erected in certain Places by Commiſſioners of Fourth Diſtrict.

CVIII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage of the Fourth Diſtrict, ſhall erect or cauſe to be erected a Dam or Dams, and cauſe the ſame to be maintained and kept in Repair at the Dike Ends, from the South-weſt Side of *Delph* Dike Bank, along the North Side of the Diviſion Dike, which divides *Middlemore* and *Loadſend* aforeſaid, and then along the ſame Dike to the Gateway upon the Bank on the North Side of the River *Nene*, between the Lands called *Plaw's*, and the Corner of the Outring Dike of a Loadſend Lot of *John Serjeant*, ſo as to prevent the Water flowing out of the Fourth Diſtrict into the Outring Dike between the Fourth and Fifth Diſtricts.

Dams to be erected by Commiſſioners of the Fifth Diſtrict.

CIX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage of the Fifth Diſtrict ſhall erect, or cauſe to be erected a Dam or Dams, and cauſe the ſame to be maintained and kept in Repair, at the Dike Ends, from *Plaw*'s Gate, along the Outſide of the Bounds of *Loadſend*, near or adjoining to the Diviſion Dike between *Middlemore* and *Loadſend* to *Delph* Dike Bank, ſo as to prevent the Water flowing out of the Fifth Diſtrict into the Outring Dike between the Fourth and Fifth Diſtricts.

Commiſſioners for Sixth Diſtrict, to erect a Bank at *Hilk Stile*.

CX. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for Drainage of the ſaid Sixth Diſtrict, ſhall erect, or cauſe to be erected a good and ſufficient Bank, and cauſe the ſame to be maintained and kept in Repair, from a certain Stile called *Little Hilk Stile*, along the Outſide of *Little Hilk*, next *King's Delph* Farm, and from thence along a Meerſide Lot of *Henry Ibberſon*, by or along the Outring Dike of the ſaid *King's Delph* Farm, and from thence along a Meerſide Lot of *John Renow*, along the Outring Dike of *William Fellowes* Eſquire, belonging to the ſaid *King's Delph* Farm, and from thence

along *Hun's Drove* to the Outring Bank of a certain Diſtrict called *Glaſſmoor Diſtrict*.

The Drain from *Aſh Drain* to *Puddock Drove*, to be ſcoured by Commiſſioners.

CXI. Provided always, and be it further enacted, That the preſent Drain from *Aſh Drain* to *Puddock Drove*, lying between the Eſtate of the ſaid *Robert Hotchkin* in *Wiſtow Fen*, and the Lands of the ſaid *Barnabas Brighty* in *Ramſey*, ſhall for the future be under the Care and Management of the ſaid Commiſſioners for Drainage of the Firſt Diſtrict, and ſhall from Time to Time be maintained, cleanſed, and ſcoured by them, and the Expences thereof defrayed in like Manner as any other Drain under their Care and Management.

Perſons damaging the Works,

CXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whoſoever, at any Time or Times hereafter, ſhall wilfully or maliciouſly cut or otherwiſe damage any of the Banks, Works, Mills, or Engines already made or erected, or which ſhall at any Time hereafter be making or erecting, or made or erected, ſupported, or maintained for anſwering any of the Purpoſes of this Act, or by any Means obſtruct, divert, or lay open any of the Banks, Cuts, Drains, Dams, Outlets, or other Works made, or which ſhall at any Time hereafter be making or made, ſupported or maintained for draining or improving the ſaid Fen Lands or Low Grounds in purſuance of this Act, and ſhall be convicted thereof, upon Oath, before any Two or more Juſtices of the Peace for the County or Place wherein the Offence ſhall be committed, or the Offender ſhall reſide, every ſuch Perſon or Perſons ſhall forfeit for every ſuch Offence the Sum of One hundred Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender or Offenders, by Warrant under the Hands and Seals of any Two of the Juſtices before whom ſuch Conviction ſhall be made, to be applied and laid out in carrying on the Works and executing the Purpoſes of this Act, within the reſpective Diſtrict wherein or in relation whereunto the Offence ſhall be committed; and for Want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall by the ſaid Juſtices be committed to the Common Gaol of ſuch County or Place, there to remain for any Time not exceeding Twelve Calendar Months, without Bail or Mainprize, at the Diſcretion of the ſaid Juſtices, and ſhall alſo make full Compenſation and Satisfaction to all and every Perſon and Perſons who ſhall be injured thereby, for the Damage ſuch Perſon or Perſons ſhall thereby ſuſtain; which Compenſation and Satisfaction ſhall be recovered, together with full Coſts of Suit, in ſuch Manner as is herein-before preſcribed for the Recovery of Damages ſuſtained by the Working of any Horſe Mill or other Device: And if any Perſon or Perſons ſhall wilfully and maliciouſly ſet fire to, burn, or otherwiſe deſtroy, any of the ſaid Mills or Engines already made or erected, or which ſhall be making or erecting, or made or erected, ſupported or maintained, for anſwering any of the Purpoſes of this Act, and be thereof lawfully convicted, ſuch Perſon or Perſons ſhall be adjudged guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in any other Caſes of Felony, and the Court by or before whom ſuch Perſon or Perſons ſhall be tried, ſhall, and have hereby Power and Authority to tranſport reſpectively ſuch Felons for Seven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm.

to forfeit 100 *l.*

and for want of Diſtreſs, to be committed.

Perſons deſtroying Mills, &c.

to ſuffer as Felons.

CXIII. And

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

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

CXV. And be it further enacted, That the Securities for the Monies to be raiſed for the Purpoſes of this Act, ſhall be in the Words or to the Effect following:

'WE the Commiſſioners for Drainage of the Diſtrict, in the County of by virtue of an Act of Parliament, made in the Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third, intituled, [*Here ſet forth the Title of the Act*], in Conſideration of the Sum of paid to us by *A. B.* before the Delivery of theſe Preſents, do aſſign unto the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns, the Taxes or Aſſeſſments made and to be made of the ſaid Diſtrict, to hold unto the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of together with the Intereſt at the Rate of *per Centum per Annum* (ſuch Intereſt to commence or be calculated from the Day of ſhall be fully paid and ſatisfied. In Witneſs whereof we have hereunto ſet our Hands and Seals the Day of in the Year of our Lord Form of Security.

And every ſuch Security ſhall be good, valid, and effectual, and ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, and their Executors, Adminiſtrators, and Aſſigns, to the Payment thereof, and to all Profit and Advantage thereto, according to the true Intent and Meaning of this Act.

CXVI. And be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons entitled to any of the ſaid Securities, at any Time or Times to aſſign and transfer the ſame, and their reſpective Intereſts to the Principal Money or Intereſt, to any Perſon or Perſons, by Indorſement upon ſuch Security, in the Words or to the Effect following: Security may be transferred.

'I *A. B.* do transfer the within Security, and the Principal Money and Intereſt thereby ſecured, unto Executors, Adminiſtrators, and Aſſigns. Witneſs my Hand and Seal the Day of in the Year of our Lord Transfer.

And every ſuch Transfer ſhall be good, valid, and effectual; and a Copy of every ſuch Transfer ſhall be entered in a Book to be kept for that Purpoſe by the Clerk or Clerks to the reſpective Commiſſioners; and for the Entry of every ſuch Transfer ſuch Clerk or Clerks ſhall be paid the Sum Clerk's Fee.

of Two Shillings and Sixpence, and no more; and every ſuch Transfer ſo entered ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, and his, her, and their Executors and Adminiſtrators, to the Benefit of the Security thereby transferred.

Money advanced to be repaid with Intereſt.

CXVII. And be it further enacted, That if any Perſon or Perſons ſhall advance and pay any Money in Diſcharge of the Fees or other Expences of obtaining and executing this Act, the Money ſo paid and advanced ſhall be repaid and ſatisfied by the reſpective Commiſſioners for carrying this Act into Execution, together with lawful Intereſt for the ſame.

Entries of Proceedings under former Act good Evidence.

CXVIII. And be it further enacted, That all and every Book and Books, in which any Entry or Entries of any Proceeding or Proceedings of any of the Commiſſioners or other Officer acting by or under the Authority of the ſaid recited Act, ſuch Entry or Entries being made in ſuch Book or Books according to the Directions of, and made Evidence by the ſaid recited Act, ſhall be and be deemed to be good and ſufficient Evidence of ſuch Proceedings in any Court whatſoever; any Thing herein contained to the contrary thereof notwithſtanding.

Fines and Penalties how to be levied and recovered.

CXIX. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted, or authorized to be impoſed, (the Manner of levying and recovering whereof is not herein otherwiſe particularly directed), ſhall, upon Proof of the Offences reſpectively before any Two or more Juſtices of the Peace for the ſaid County of *Huntingdon* or *Iſle of Ely*, either by the Confeſſion of the Party or Parties offending, or by the Information of One or more credible Witneſs or Witneſſes upon Oath, (which Oath ſuch Juſtice or Juſtices of the Peace is and are hereby empowered and required to adminiſter without Fee or Reward, and the Informer is hereby rendered a competent Witneſs), be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby empowered and required to grant; and the Penalties and Forfeitures, when recovered, after rendering the Overplus, if any be, upon Demand, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, (the Coſts, Charges, and Expences of making ſuch Diſtreſs, and the keeping and ſelling thereof being firſt deducted) ſhall be paid to the Treaſurer or Treaſurers for the Time being to the ſaid Commiſſioners for Drainage for the reſpective Diſtricts, and applied towards draining and preſerving ſuch Diſtricts; but nevertheleſs it ſhall and may be lawful to and for the ſaid Commiſſioners for Drainage, at any Meeting or Meetings to be held in purſuance of this Act, to order their Treaſurer or Treaſurers for the Time being to pay ſuch Part of the ſaid Penalties to the Informer as they ſhall judge reaſonable, not exceeding One Moiety thereof; and in every ſuch Caſe where Diſtreſs is directed to be taken by this Act, and ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Forfeitures, and Fines, ſhall not be forthwith paid, it ſhall and may be lawful for ſuch Juſtice or Juſtices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction of the ſaid County of *Huntingdon* or *Iſle of Ely*,

as the Caſe may be, where ſuch Offender or Offenders ſhall be convicted, there to remain, without Bail or Mainprize, for any Time not exceeding One Calendar Month for the Firſt Offence, and for the Second and every other Offence of the ſame Kind, for any Time not exceeding Six Calendar Months, nor leſs than Two Calendar Months, unleſs ſuch Penalties, Forfeitures, or Fines, and all reaſonable Charges and Expences attending the ſame, ſhall be ſooner paid and ſatisfied.

CXX. And be it further enacted, That all and every 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 Words, or any other Form of Words to the ſame Effect; (that is to ſay),

Form of Conviction.

'to wit. } 'BE it remembered, That on the Day of in the Year of the Reign of His 'Majeſty King *A. B.* convicted before 'of His Majeſty's Juſtices of the Peace for the 'of by virtue of an Act of Parliament, made in the Thirty-ſixth Year of the Reign of His Majeſty King *George* the Third, intituled, [*Here ſet forth the Title of the Act, and ſpecify the Offence, and the Time and Place when and where the ſame was committed*]. Given under our Hands and Seals [*or*, my Hand and Seal] the Day and Year aforeſaid.'

Diſtreſs not to be deemed unlawful for Want of Form, nor Party be deemed a Treſpaſſer *ab initio*, for ſubſequent Irregularity.

CXXI. And be it further enacted by the Authority aforeſaid, That where any ſuch 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 Default or Want of Form in any Proceedings relating thereto, nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers, *ab initio*, on Account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the Special Damage in lieu of any Action on the Caſe.

Plaintiff not to recover if Tender of Amends hath been made.

CXXII. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action, or for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed or cauſed to be committed every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into the Court ſuch Sum of Money as he or they ſhall ſee fit, whereupon ſuch Proceedings, or Order and Judgement ſhall be had, made, or given in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Perſons aggrieved may appeal to the Quarter or General Seſſions.

CXXIII. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Tax or Rate, Aſſeſſment or Aſſeſſments, or any

any other Matter or Thing done or directed to be done by the ſaid Commiſſioners for Drainage, ſuch Perſon or Perſons ſhall apply for Relief to the reſpective Commiſſioners for Drainage for putting this Act in Execution, at any Meeting to be held within Twenty-eight Days next after Demand made of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or next after any ſuch Matter or Thing done and committed by or by Order of the ſaid reſpective Commiſſioners for Drainage; and the ſaid reſpective Commiſſioners for Drainage are hereby authorized and empowered (if they ſhall think ſuch Perſon or Perſons aggrieved), to give ſuch Relief in the Premiſes as to them ſhall ſeem neceſſary; and if ſuch Perſon or Perſons ſhall not be ſatisfied with the Determination of ſuch Commiſſioners for Drainage, he, ſhe, or they ſhall be obliged to pay ſuch Tax or Taxes, Aſſeſſment or Aſſeſſments, and to comply with ſuch Order of ſuch Commiſſioners for Drainage; and then he, ſhe, or they may appeal to the Quarter Seſſions of the Peace to be holden for the ſaid County of *Huntingdon* or *Iſle of Ely*, as the Caſe ſhall be, within Four Calendar Months next after ſuch Determination of the ſaid Commiſſioners for Drainage, ſuch Appellant firſt giving or cauſing to be given Twenty-one Days Notice at the leaſt, in Writing, of his, her, or their Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Clerks to ſuch Commiſſioners for Drainage reſpectively, and within Ten Days next after ſuch Notice, entering into Recognizance before ſuch Juſtice of the Peace for ſuch County or Iſle, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Quarter Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices at their Quarter Seſſions ſhall be final, binding, and concluſive.

Notice of Appeal to be given.

Proceedings not to be quaſhed for Want of Form;

CXXIV. And be it further enacted by the Authority aforeſaid, That no Rate or Rates, Aſſeſſment or Aſſeſſments, nor any Proceeding to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or any other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſo far as the ſame relates to the draining and preſerving of the ſaid reſpective Diſtricts, ſhall be vacated or quaſhed for Want of Form, or be removed by *Certiorari*, or by any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law, Statute, or Uſage, to the contrary notwithſtanding.

or removeable by *Certiorari*.

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

CXXV. Provided always, and it is hereby further enacted and declared, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend, to empower the Commiſſioners for Drainage appointed to put this Act in Execution, to have, uſe, or exerciſe, any Power or Authority over, or to intermeddle with any of the Rivers, Banks, Sewers, Cuts, Drains, Dams, Sluices, Tunnels, or other Works whatſoever, already made or hereafter to be made by the Governor, Bailiffs, Conſervators, and Commonalty of the Great Level of the Fens called *Bedford Level*, by virtue of an Act, made in the Fifteenth Year of the Reign of His late Majeſty King *Charles* the Second, intituled, *An Act*

for ſettling the Draining of the Great Level of the Fens called Bedford Level; or by virtue of any other Act, Statute, or Power whatſoever, or to invalidate, leſſen, diminiſh, alter, or take away any the Rights, Powers, or Authorities veſted in the ſaid Governor, Bailiffs, Conſervators, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators; but that all Rights, Powers, and Authorities whatſoever, which by virtue of the ſaid Act paſſed in the Fifteenth Year of the Reign of King *Charles* the Second, or in any other Act, Statute, or Power whatſoever, are now veſted in the ſaid Governor, Bailiffs, Conſervators, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, Conſervators, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

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

CXXVI. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend to invalidate, leſſen, diminiſh, alter, or take away, any of the Rights, Powers, and Authorities, veſted in the Commiſſioners appointed in and by an Act of Parliament paſſed in the Twenty-ſeventh Year of the Reign of His 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* Nene, *in the Pariſh of* Ramſey, *in the ſaid County of* Huntingdon; but that all Rights, Powers, and Authorities whatſoever, which by virtue of the ſaid Act paſſed in the Twenty-ſeventh Year of the Reign of His late Majeſty King *George* the Second, now are veſted in the ſaid Commiſſioners thereby appointed, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Commiſſioners, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

Reſervation of Rights to Lords of Manors.

CXXVII. Provided always, and be it hereby enacted, That all ſuch Right or Rights as any Lord or Lords, Lady or Ladies, of any Manor or Manors, Liberties, Hundred, or Half Hundred, have heretofore had within his, her, or their reſpective Manor or Manors, Liberties, Hundred, or Half Hundred, within or without the ſaid ſeveral Diſtricts or Diviſions, or any of them, (ſave and except the Right or Rights of ſuch Lord or Lords, Lady or Ladies, within that Part of the ſaid Fourth Diſtrict called *The Hern Common* and *Gore Common*, as may be expreſſly barred and extinguiſhed by this Act), to Waifs, Eſtrays, Felons Goods, Privileges of Arreſts, Eſcheats, and all other Royalties not prejudicial to the Drainage, be hereby ſaved to them, their Heirs, Succeſſors, and Aſſigns, ſeverally and reſpectively.

Limitation of Actions.

CXXVIII. And it is hereby further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act by the ſaid Commiſſioners for Drainage, or in Execution of any of the Powers or Authorities hereby given to the ſaid Commiſſioners for Drainage, every ſuch Action, Suit, or Information, ſhall

ſhall be commenced or made within Six Calendar Months next after the Fact be committed, and not afterwards, and ſhall be laid or brought in the County of *Huntingdon* or *Iſle of Ely*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, Not Guilty, and if in Replevin may juſtify and avow by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and give this Act and the Special Matter in Evidence without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon; and that the Fact alledged to have been done, was done in purſuance and by Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or forbear a Proſecution, or diſcontinue his, her, or their Suit or Suits, or if any Judgement ſhall be given againſt him, her, or them, upon a Demurrer or otherwiſe, then 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.

Publick Act.

CXXIX. And be it further enacted, That this Act ſhall be allowed and adjudged in all Courts whatſoever as a Publick Act, and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

FINIS.