ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. LXVII.

An Act to embank and drain the open and unembanked Lands and Grounds lying between *The Dales Head Dyke* and the River *Witham*, in the ſeveral Townſhips or Hamlets and Pariſhes of *Walcot*, *Timberland-Thorpe*, *Timberland*, *Martin*, *Linwood*, and *Blankney*, all in the County of *Lincoln*. [25th *May* 1797.]

Preamble.

WHEREAS there are within the Hamlets or Townſhips and Pariſhes of *Walcot*, *Timberland-Thorpe*, *Timberland*, *Martin*, *Linwood*, and *Blankney*, in the County of *Lincoln*, certain Low Lands, called *The Dales*, containing Two thouſand eight hundred Acres or thereabouts, lying between the preſent embanked Fens and Low Lands within the ſaid Hamlets or Townſhips and Pariſhes on the South-weſt, and the River *Witham* on the North-eaſt: And whereas Sir *Thomas Whichcote* Baronet, *Charles Chaplin*, *Peter Auriol Hay Drummond*, *Nevile King*, *Thomas Irwin Bury*, and *Clifton Wheat*, Eſquires, and others, are Owners of the ſaid Low Lands: And whereas the ſaid Low Lands are frequently overflowed, and by reaſon thereof yield but little Profit to the Owners, but if embanked and drained might be improved to the great Advantage of all Parties intereſted therein, and to the Benefit of the

Publick; yet such Improvement cannot be effected 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 *John Hudson*, of *West Ashby* in the said County of *Lincoln*, Gentleman, and his Successor for the Time being, to be elected in Manner herein-after mentioned, shall be and he is hereby appointed a Commissioner for embanking and draining the said Low Lands called *The Dales*, and putting this Act into Execution.

Commissioner.

New Commissioner to be appointed in case of Death or Resignation.

II. And be it further enacted, That if at any Time before the Power of the said Commissioner shall cease, as herein-after directed, the said Commissioner shall die or refuse to act, then any Two or more Proprietors of One hundred Acres of the said Dale Lands, shall and may cause publick Notice to be given in the Parish Churches of *Timberland* and *Blankney* aforesaid, and in the Parish Church of *Billinghay*, in the said County of *Lincoln*, on some *Sunday* immediately after Divine Service, that the Proprietors of the said Low Lands, or their Deputies or Agents, appointed by Writing under their Hands, will meet at the House of *Sarah Robinson*, known by the Name of *The Rein Deer*, or some other convenient House in the City of *Lincoln*, on the *Friday* Sevennight then next after such Notice, between the Hours of Ten and Twelve in the Forenoon, then and there to elect and chuse a disinterested Person to be a Commissioner in the Place or Stead of such Commissioner so dying or refusing to act; and it shall and may be lawful for any Proprietor or Owner of One hundred Acres or more of the said Low Lands, or his Deputy or Agent appointed as aforesaid, present at such Meeting, to vote in the Choice of every such Commissioner; and it shall also be lawful for any Number of Proprietors or Owners of the said Low Lands, amounting in the Whole to One hundred Acres at the least of such Lands, or their Deputies or Agents (appointed as aforesaid) to nominate any Person to vote for them at such Election, and such Person so nominated shall be and is hereby authorized and empowered to vote in the Choice of every such Commissioner; and such new Commissioner as shall from Time to Time be chosen by a Majority of such Votes as aforesaid (the same being certified in Writing under the Hands of the Persons chusing such Commissioner) after having taken the Oath herein directed to be taken by every Person acting as a Commissioner in the Execution of this Act), shall have the like Power and Authority for putting this Act into Execution as the Commissioner herein appointed is vested with; and such Certificate, together with all such Nominations as aforesaid (if any) shall, within One Calendar Month after the same shall be so signed, be enrolled in such Manner as the Award herein-after mentioned is directed to be enrolled; and true Copies of such Certificates and Nominations shall be admitted in Evidence in like Manner as a Copy of the Enrolment of the said Award is herein-after directed to be admitted and allowed.

Commissioners to take an Oath.

III. Provided always, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers and Authorities given by this Act, until he shall have taken and subscribed the Oath following; that is to say,

"I Do

'I Do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Judgement, execute the Truſts repoſed in me as a Commiſſioner by virtue of an Act paſſed for embanking and draining the open and unembanked Lands and Grounds lying between *The Dales Head Dyke* and the River *Witham*, in the ſeveral Townſhips or Hamlets and Pariſhes of *Walcot*, *Timberland-Thorpe*, *Timberland*, *Martin*, *Linwood*, and *Blankney*, all in the County of *Lincoln*, without Favour or Affection to any Perſon whomſoever.

'So help me GOD.' Commiſſioners Oath.

Which Oath it ſhall be lawful for any Proprietor of One hundred Acres of the ſaid Low Lands to adminiſter, and they are hereby ſeverally authorized and required to adminiſter the ſame; and ſuch Oath, ſo to be taken and ſubſcribed, ſhall be enrolled at the ſame Time and Place as the Award to be made by the ſaid Commiſſioner is herein directed to be enrolled.

IV. And be it further enacted, That in order to aſcertain the Property of the ſeveral Owners and Proprietors in the ſaid Low Lands, the Surveys had and taken under and by virtue of the ſeveral Acts already obtained, or which ſhall be paſſed in the preſent Seſſion, for dividing and encloſing ſuch of the Low Lands in the ſaid reſpective Hamlets or Townſhips, and Pariſhes, as at the Times of paſſing the ſaid Acts reſpectively were open and unincloſed, ſhall be deemed and taken, for the Purpoſes of this Act, to be the full, true, and exact Surveys of the ſaid Low Lands, and of the Quantity and Contents of each Proprietor's Share therein; and that ſuch of the ſaid Low Lands of each Proprietor, the Contents whereof cannot be aſcertained in Manner aforeſaid, ſhall be ſurveyed and admeaſured by the ſaid Commiſſioner, or by whom he ſhall appoint; and that the ſaid ſeveral Proprietors (after deducting the Land to be uſed in the ſaid Works of Drainage which are by this Act directed to be veſted in the ſaid Commiſſioner and the Truſtees to be elected as herein-after mentioned) ſhall be rated and charged to the ſaid Works of Drainage, and the Taxes to be raiſed and levied under the Authority of this Act, for the ſame Number of Acres, Roods, and Perches, as their ſaid reſpective Properties are ſtated to contain in the ſaid reſpective Surveys had and taken thereof as aforeſaid. Properties to be aſcertained by the Surveys taken upon the Incloſures, or by a new Survey where the ſame has not been taken.

V. And be it further enacted, That the ſaid Commiſſioner ſhall, and he is hereby empowered and required, in order to obviate any Inconvenience that may ariſe to the Occupiers of any of the ſaid Low Lands by reaſon of any of the preſent Communications being interrupted or ſtopped up, by the Works of Drainage to be made and executed under the Authority of this Act, to ſet out and appoint ſuch additional private Roads and Ways in, over, or through any of the ſaid Low Lands, of ſuch Width as the ſaid Commiſſioner ſhall think neceſſary, uſeful, and convenient; the ſaid Commiſſioner cauſing Satisfaction to be made out of the Monies to be raiſed towards defraying the Expence of the Works of Drainage in the Hamlet, Townſhip, or Pariſh, where ſuch Roads or Ways do lie or are ſituate, to the Owners, Proprietors, and Occupiers, of ſuch Lands through which any ſuch new Roads or Ways ſhall be made, for any Damages they may ſuſtain thereby, as to the ſaid Commiſſioner ſhall ſeem meet; and that from and after ſetting out ſuch additional Commiſſioner to ſet out Roads.

Roads and Ways (if any) it ſhall not be lawful for any Perſon or Perſons to make uſe of any other Roads or Ways in, over, or through the ſaid Low Lands, or any of them, either on Foot, or with Horſes, Carts, or Carriages, other than ſuch Roads and Ways as are now in being, and ſhall not be altered or ſtopped up by the ſaid Commiſſioner, and alſo ſuch additional Roads and Ways as ſhall be ſo ſet out and appointed by virtue of this Act; and that ſuch of the former Roads and Ways through the ſaid Low Lands, which ſhall be ſo altered or ſtopped up, ſhall by the ſaid Commiſſioner be awarded to the Perſon or Perſons whoſe Lands ſhall be adjoining or contiguous thereto, he, ſhe, or they making ſuch Satisfaction for the ſame, as the ſaid Commiſſioner ſhall in and by his ſaid Award, or by any other Inſtrument in Writing to be by him ſigned and ſealed and enrolled in like Manner as the ſaid Award, direct and appoint; and the Money ſo to be paid ſhall be applied towards defraying the Works of Drainage in the Hamlet, Townſhip, or Pariſh, where ſuch Roads do lie or are ſituate.

Regulations reſpecting Leaſes.

VI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioner, upon the Application of either Party intereſted in any Leaſe ſubſiſting of any Part of the ſaid Low Lands for any longer Term than One Year from the Time of paſſing this Act, to aſcertain and determine what increaſed Rent ſhall be paid or allowed to the reſpective Leſſor or Leſſors for ſuch Lands for and during the Continuance of the Term or Terms then to come in ſuch reſpective Leaſe or Leaſes, and alſo to order and direct the Mode of Cultivation ſuch Land ſhall reſpectively be ſubject to with reſpect to the plowing, ſowing, tilling, cropping, fallowing, continuing in Paſture, or laying down the ſame, for the Reſidue of the Leaſe or Leaſes reſpectively ſubſiſting thereon; and any Leſſee or Leſſees diſobeying or neglecting any of the Orders and Directions of the ſaid Commiſſioner in the Premiſes, ſhall be ſubject and liable to the ſeveral Penalties and Forfeitures to be impoſed by the ſaid Commiſſioner, and which are uſual in Caſes of the like Nature; and ſuch Advance or Increaſe of Rent, together with the Penalties and Forfeitures to be incurred by diſobeying or neglecting any of the Orders and Directions of the ſaid Commiſſioner, ſhall be paid to and recovered by the reſpective Leſſor or Leſſors in the ſame Manner and on the ſame Days and Times, as and whereon the ſeveral reſerved Rents and other Penalties and Forfeitures in ſuch reſpective Leaſe or Leaſes are, ſhall, or may be recovered reſpectively, and by the like equal Portions during the Reſidue of the ſaid Term or Terms of ſuch reſpective Leaſe or Leaſes.

Power to make Exchanges.

VII. And be it further enacted, That it ſhall and may be lawful to and for the Proprietors and Owners of or Perſons intereſted in any of the ſaid Low Lands intended to be embanked and drained as aforeſaid, to make any Exchange or Exchanges of his, her, or their Lands, Tenements, and Hereditaments, or of any Part thereof, or of their Rights and Intereſts therein, or of any Rents or Revenues ariſing therefrom, within any or either of the ſaid Townſhips or Hamlets and Pariſhes, for any other Lands, Tenements, Hereditaments, Rights, Intereſts, Rents, or Revenues, within the ſame Hamlet, Townſhip, or Pariſh, or in any Pariſh, Townſhip, or Place adjoining thereto; ſo as all and every ſuch Exchange and Exchanges be made by and with the Conſent and Approbation of

the ſaid Commiſſioner, and be ſet forth, ſpecified, and declared in the Award or Inſtrument by this Act directed to be made, or be made, or by ſome other Act or Inſtrument to be enrolled with the ſaid Award; and ſo as every ſuch Exchange to be made by the Rector of *Blankney* and Vicars of *Timberland* and *Billinghay* reſpectively, be made by and with the Conſent in Writing of the Lord Biſhop of *Lincoln* for the Time being; and that all and every ſuch Exchange and Exchanges ſo to be made and enrolled as aforeſaid, ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever, and ſhall be binding, final, and concluſive unto and upon all Perſons and Parties intereſted therein.

Lands to be embanked and drained.

VIII. And be it further enacted, That for the draining, preſerving, and effectually ſecuring the ſaid Low Lands from Floods, the ſaid Commiſſioner ſhall and may, and he is hereby authorized, empowered, and required, as ſoon as conveniently may be after the paſſing of this Act, to embank the ſaid Low Lands with good and ſufficient Banks, in the Manner and of the Average Dimenſions herein-after expreſſed, and of greater Dimenſions if the ſame ſhall be found neceſſary; (that is to ſay), From the North-eaſt Side of *Billinghay Skirth*, along or near the Courſe of the River *Witham*, to the North-eaſt Side of *Blankney* Pariſh (except in the Spaces requiſite for the free Paſſage of the Waters through the Drains to be made under the Authority of this Act into the ſaid River) with a Bank of the Breadth of Forty Feet at the Baſe, Six Feet at the Top, and Nine Feet high; and thence along the North-weſt Side of the ſaid Pariſh of *Blankney*, to join the preſent Bank at the North-eaſt Corner of *Blankney Fen*, with a Bank of Forty Feet at the Baſe, Five Feet at the Top, and Eight Feet high, and ſhall alſo extend the ſeveral Side Banks of *Martin*, *Timberland*, *Timberland-Thorpe*, and *Walcot Fens* reſpectively, from the ſeveral Terminations thereof Eaſtward, through the ſaid Low Lands, to join the ſaid Bank intended to be erected next the River *Witham*, of the like Dimenſions as the ſaid Bank along the North-weſt Side of *Blankney* Pariſh is herein directed to be made, and to erect Haling Bridges over the ſeveral Drains between the ſaid Banks; and from Time to Time to make, ſupport, remove, alter, and maintain any other Bank or Banks within or along the Sides of the Lands intended to be drained by virtue of this Act, and alſo to alter, enlarge, contract, ſupport, and maintain any of the old or preſent Banks now being within the ſaid Lands, and from Time to Time, as the ſaid Commiſſioner ſhall think proper, to make, ſupport, erect, alter, and maintain, or cauſe to be made, ſupported, erected, altered, or maintained, all ſuch Cuts, Tunnels, and Waterways, through and under any Banks to be made upon or againſt the ſaid Low Lands by virtue of this Act; and all ſuch Banks, Drains, Ditches, Dams, Sluices, Tunnels, Bridges, Trays, Stanches, Outlets, Engines, and other Works, in, upon, through and over the ſaid Low Lands intended to be embanked and drained by virtue of this Act, as he ſhall think neceſſary for draining and preſerving the ſame, without the Controul or Interruption of any Perſon or Perſons whomſoever, except ſuch Controul as is or may be veſted in the general Commiſſioners acting under and by virtue of an Act, made in the Second Year of the Reign of His preſent Majeſty, intituled, *An Act for draining and preſerving certain Low Lands called* The Fens, *lying on both Sides of the River* Witham, *in the County of* Lincoln; *and for reſtoring and maintaining the Navigation of the ſaid River from the High Bridge in the City of*

of Lincoln, *through the Borough of* Boſton, *to the Sea*; and the ſaid Banks, Cuts, Drains, Ditches, Dams, Sluices, Tunnels, Bridges, Trays, Stanches, Outlets, Engines, and other Works, which ſhall be ſo cut, made, or erected, ſhall from Time to Time be cleanſed, ſupported, maintained, repaired, worked, and uſed, by ſuch Perſon or Perſons, and in ſuch Manner, as the ſaid Commiſſioner, or the Truſtee or Truſtees reſpectively to be appointed for putting this Act into Execution, as hereinafter is directed, ſhall, by Writing under his or their Hand or Hands, order, direct, or appoint.

General Commiſſioners of the *Witham* to have Controul over Banks.

IX. Provided, and it is hereby enacted, That the ſaid intended Bank over the ſaid Low Lands, along or near the Courſe of the River *Witham*, ſhall be made and erected in Manner aforeſaid, by and under the Direction and to the Satisfaction of the general Commiſſioners for Drainage acting under the Authority of the ſaid recited Act, at ſuch Diſtance from the ſaid River, not exceeding Thirty Feet upon an Average, as the ſaid general Commiſſioners ſhall direct; and that in forming the ſaid Bank ſo much Earth ſhall be taken from the outer Side thereof as will enlarge the Channel of the ſaid River Twenty Feet at the leaſt in Width, and make the Depth of ſuch enlarged Channel level with the preſent Bed of the ſaid River; which ſaid Bank ſhall at all Times from and after the making thereof, remain, continue, and be ſubject and liable to the Power, Juriſdiction, and Controul, of the ſaid general Commiſſioners in ſuch and the like Manner as if the ſame had been made and erected under the Authority of the ſaid recited Act, by and out of the Monies thereby empowered to be raiſed for carrying the ſame Act into Execution.

This Act not to deprive Proprietors of the Benefit of the *Witham* Fund.

X. Provided alſo, and it is further enacted, That the Directions herein contained for raiſing and defraying the Charges and Expences of making and erecting the ſaid Bank over the ſaid Low Lands, along or near the Courſe of the River *Witham*, ſhall not preclude or prejudice the Owners and Proprietors of Lands reſpectively by and at whoſe Expence the ſaid Bank ſhall be made and erected, their reſpective Heirs or Aſſigns, from being reimburſed the ſaid Charges and Expences, or ſuch Share and Proportion thereof as the ſaid general Commiſſioners, at any of their Meetings to be held for executing the ſaid Act, ſhall admit and allow to have been neceſſarily expended in making the ſame Bank; but that ſuch Owners and Proprietors, their reſpective Heirs and Aſſigns, ſhall be entitled to be reimburſed the ſaid Charges and Expences, or ſuch Share and Proportion thereof as aforeſaid, by and out of the Monies which at any Time hereafter ſhall ariſe or be raiſed by the ſaid general Commiſſioners under the Authority of the ſaid recited Act, for the further Execution of the Works of Drainage therein directed, at ſuch Time or Times, and in ſuch Proportion, Manner, and Form, as in the Judgement of the ſaid general Commiſſioners ſhall afford to the Owners and Proprietors of the ſaid Low Lands to be embanked and drained by virtue of this Act, ſuch and the like Benefit and Advantage in reſpect of the ſaid Lands as other Owners and Proprietors of Lands lying on both Sides of the ſaid River *Witham*, either already have or ſhall hereafter receive under the Authority of the ſaid recited Act, for or towards the making and erecting Banks of the like Nature next the ſaid River *Witham*, for the Protection and Defence of their ſaid Lands reſpectively.

XI. Provided

XI. Provided alſo, and it is hereby further enacted, That if by Reaſon of the depaſturing of Cattle upon the Bank to be erected along or near the Courſe of the River *Witham*, or by the Paſſage of Cattle along or acroſs the ſame, any Damage ſhall be done to the ſaid Bank, or the ſame ſhall be otherways injured by an improper Occupation thereof, it ſhall be lawful for the ſaid general Commiſſioners to repair and make good ſuch Damage, and to charge the Expence thereof upon the Proprietor or Proprietors entitled to the Herbage of the ſame Bank, where ſuch Damage or Injury ſhall be done or ſuſtained, and to recover the Monies expended thereby of and from ſuch Proprietor or Proprietors, in ſuch and the like Manner as the general Rates and Taxes payable under the Authority of the ſaid recited Act can or may be recovered.

General Commiſſioners empowered to repair Banks.

XII. And whereas the Waters that are diſcharged from *Blankney Fen*, by a certain Engine now ſtanding in the ſaid Fen, into the Drain running along the South-weſt Side of the Low Lands intended to be drained by virtue of this Act, if continued to be diſcharged into the ſaid Drain would be very detrimental to the Drainage of the ſaid Low Lands; but if the ſaid Engine was removed to or near the Bank erected on the South-weſt Side of *Martin Fen*, the ſaid Waters might be diſcharged by Means thereof into the Drain on the outer Side of the ſaid Bank, with equal Facility, into the River *Witham*, and without Detriment to the Owners of Lands in the ſaid embanked Fens of *Martin* and *Blankney*; be it therefore enacted, That it ſhall and may be lawful for the Commiſſioner for putting this Act into Execution, and he is hereby authorized and empowered, at any Time after the paſſing of this Act, to pull down and remove the ſaid Engine in *Blankney Fen*, and to rebuild the ſame in ſuch Part of *Martin Fen* as the Truſtees acting under the Authority of the ſaid Act paſſed for the Embankment and Drainage of the ſaid Fens, ſhall by Writing under their Hands, or under the Hands of a Majority of the ſaid Truſtees, direct; ſo as that the Waters to be diſcharged thereby may paſs into the Drain on the outer Side of the ſaid *Martin* Bank; and the ſaid Commiſſioner for putting this Act into Execution ſhall cauſe the ſaid Engine ſo to be removed, and the Bank that may be affected thereby to be reſtored in every Reſpect to as good a State and Condition as the ſame are now in, and pay the Expences thereof out of the Money to be raiſed from the Proprietors of ſuch of the Low Lands intended to be embanked as are ſituate in *Martin*, *Linwood*, and *Blankney Dales*, for defraying the Expences of embanking and draining the ſame.

Power to remove *Blankney* Fen Engine.

XIII. And be it further enacted, That all the Cuts, Drains, Ditches, Dams, Banks, Sluices, Tunnels, Bridges, Trays, Stanches, Outlets, Engines, and other Works already made and erected, or which ſhall at any Time hereafter be making or erecting, or be made, erected, ſupported, or maintained, for the Purpoſes of draining and preſerving the ſaid Low Lands, and the Right and Property in and to the ſame, and the Materials of which the ſame ſhall conſiſt, ſhall be and are hereby veſted in the ſaid Commiſſioner and his Succeſſor for the Time being, until the Power and Authority of ſuch Commiſſioner in executing this Act ſhall ceaſe, and until the Truſtees ſhall be appointed as herein-after is directed; and that from thenceforth the ſaid Works, and the Right and Property to and in the ſame, and the Materials of which the ſame ſhall conſiſt, ſhall be and are hereby veſted in the reſpective Truſtees to

Engine, &c. in whom to be veſted.

be appointed as herein-after is directed; and the said Commissioner and Trustees respectively are hereby authorized and empowered to insure such Engines from Fire, and to bring or cause to be brought any Action or Actions, in their own Name or Names, or in the Name of any One of them, or to prefer or order and direct the preferring of Indictments or other Proceedings, against any Person or Persons who shall dig up, break, pull down, steal, carry away, destroy, spoil, or injure any of them, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist.

Tunnels may be laid in each District of certain Dimensions, without the Consent of the general Commissioners.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioner and Trustees respectively, at any Time after the passing of this Act (if they shall think necessary) to lay or cause to be laid through any of the Banks to be erected by virtue of this Act, any Tunnel or Tunnels for the Purpose of taking in Water for the use of Cattle in dry Seasons; provided that no such Tunnel shall be of larger Dimensions than Twelve Inches in Width and Six Inches in Depth, and that no more than One such Tunnel shall be laid down in each of the said Parishes, Townships, or Hamlets, without the Consent of the general Commissioners acting under the said *Witham* Act, and so as that the Bottom of any Tunnel to be put down under the Authority of this Act is not placed more than Six Inches lower than the Top of the Stanch immediately below the same.

Commissioner empowered to purchase Lands.

XV. And be it further enacted, That the said Commissioner and Trustees respectively shall have full Power and Authority to agree with the Proprietors of and Persons interested in any Lands, Tenements, Buildings, or Hereditaments, which the said Commissioner or Trustees shall judge necessary to be cut, digged, pulled down, or otherwise made use of for the Purposes of this Act, for the Purchase of such Lands, Tenements, Buildings, and Hereditaments, or for the Recompence to be made to such Proprietors and Persons interested, for the Damage they may sustain, and also to settle and ascertain in what Proportion the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises; and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised or interested in any such Lands, Tenements, Buildings, or Hereditaments, to contract for, sell, and convey, unto the said Commissioner or Trustees respectively, or to such Person or Persons as they shall respectively appoint, any Lands, Tenements, or Hereditaments, for the Purposes aforesaid, or to agree with the said Commissioner or Trustees respectively, for any Recompence to be made for the Damage which may be done to any such Lands, Tenements, Buildings, or Hereditaments, by the Execution of any of the Powers of this Act; and all such Contracts, Sales, Conveyances, and Agreements, shall be valid and effectual in Law, to all Intents and Purposes whatsoever, any Law, Statute, or Usage, to the contrary notwithstanding; and all Bodies Politick, Corporate, or Collegiate, and all Persons

Perſons whomſoever, are hereby indemnified for what they or any of them ſhall do in purſuance of this Act; but if it ſhall happen that any ſuch Body Politick, Corporate, or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons intereſted or concerned as aforeſaid, ſhall, for the Space of Forty Days after Notice in Writing given to the principal Officer or Officers of ſuch Body Politick, Corporate, or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at his, her, or their Place or Places of Abode, or at the Houſe of the Tenant or Tenants, Occupier or Occupiers of ſuch Lands or Hereditaments, neglect or refuſe to treat, or ſhall not agree with the ſaid Commiſſioner or Truſtees reſpectively, or by Reaſon of Abſence ſhall be prevented from treating, then and in every ſuch Caſe the ſaid Commiſſioner or Truſtees reſpectively are hereby empowered, from Time to Time, to iſſue out his or their Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, to the Sheriff of the County or Place wherein the Matter in Queſtion ſhall lie, or if ſuch Sheriff ſhall be immediately intereſted in ſuch Matter, then to One of the Coroners of the County or Place, commanding ſuch Sheriff or Coroner to impannel, ſummon, and return a Jury; and the ſaid Sheriff or Coroner is hereby empowered to impannel, ſummon, and return Twenty-four Men, qualified according to the Laws of this Realm, to be returned for Trials of Iſſues joined in His Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Commiſſioner or Truſtees reſpectively, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, in order that out of them Twelve may be ſworn to inquire touching the Matters in Queſtion; and in caſe a ſufficient Number of Jurymen ſhall not appear at ſuch Time and Place, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men that can ſpeedily be procured to attend that Service, being qualified as aforeſaid, to make up the ſaid Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurymen; and the ſaid Commiſſioner or Truſtees reſpectively is and are hereby empowered, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, from Time to Time, as Occaſion ſhall require, to ſummon and call before him or them all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in Queſtion; and the ſaid Commiſſioner or Truſtees reſpectively may order and authoriſe the ſaid Jury, or any Six or more of them, to view the Place or Places or Matters in Controverſy, which Jury (upon their Oaths, to be adminiſtered by the ſaid Commiſſioner or Truſtees; which Oath, as alſo the Oath to ſuch Perſon or Perſons as ſhall be called upon to give Evidence thereof, the ſaid Commiſſioner or Truſtees, or any One or more of them, is and are hereby empowered to adminiſter), ſhall enquire of, aſſeſs, and aſcertain, the Sum or Sums of Money to be paid for the Purchaſe of ſuch Lands or Hereditaments, or the Recompence to be made for Damages that may or ſhall be ſuſtained as aforeſaid, and to ſettle and aſcertain in what Proportion the Sum or Sums ſo aſſeſſed ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and the ſaid Commiſſioner or Truſtees reſpectively ſhall give Judgement for ſuch Purchaſe Monies or Recompence ſo to be aſſeſſed by ſuch Jury; which ſaid Verdict, and the Judgement thereupon pronounced by the ſaid Commiſſioner or Truſtees reſpectively, ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all Parties, Bodies Politick, Corporate, and Collegiate, and all Perſons whomſoever.

Penalty on Sheriff, &c. neglecting to return a Jury.

XVI. Provided always, and be it further enacted, That if any such Sheriff or Coroner, or his Deputy or Agent, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit any Sum not exceeding Twenty Pounds, nor less than Ten Pounds; and if any Person so summoned and returned as aforesaid on such Jury shall not appear, or appearing refuse to be sworn, or being sworn refuse to give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent of this Act; or if any Person so summoned to give Evidence shall not appear, or appearing refuse to be sworn or examined, or to give Evidence, every Person so offending respectively, having no reasonable Excuse to be allowed by the said Commissioner or Trustees respectively, shall, for every such Offence, forfeit and pay such Sum as the said Commissioner or Trustees acting in the Premises shall appoint, not exceeding the Sum of Ten Pounds, nor less than Forty Shillings, for any One Offence.

Agreements, &c. to be filed with the Clerk of the Peace.

XVII. And be it further enacted, That all the Agreements, Contracts, Sales, and Conveyances, and also all Verdicts and Judgements which shall be made and given in relation to any such Lands, Tenements, Buildings, and Hereditaments as aforesaid, (such Verdicts and Judgements being signed by the said Commissioner or Trustees respectively, who shall be present at the taking of such Inquest), shall be delivered to the Clerk of the Peace for the Parts or Place wherein such Lands, Tenements, or Hereditaments are situate, and shall be filed with the Rolls of such Parts or Place, and the same, or a Copy thereof, shall be admitted as Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, and take Copies thereof, upon paying for every such Inspection the Sum of One Shilling, and for every such Copy, not exceeding Two hundred Words, the Sum of Nine-pence, and so in Proportion for any greater Number of Words.

Upon Satisfaction being made, Commissioner may proceed in the Works.

XVIII. And be it further enacted, That upon Payment of such Sum or Sums of Money as shall be agreed upon between the said Commissioner or Trustees respectively, and the Party or Parties interested, or of such Sum or Sums of Money as shall be assessed by any such Jury to such Party or Parties, or legal Tender thereof made to them, or to the principal Officer or Officers of any such Bodies Politick, Corporate, or Collegiate, or if he, she, or they cannot be found, or shall refuse to accept such Money, upon Payment thereof to such Person or Persons as the said Commissioner or Trustees respectively shall by Writing under his or their Hand or Hands appoint, for the Use of and to be paid upon Demand without Fee or Reward to such Party or Parties respectively, the said Commissioner or Trustees respectively, and all Persons employed or authorized by them respectively, shall have full Power and Authority to enter upon the Lands, Tenements, Buildings, or Hereditaments, in respect whereof such Monies were so agreed for or assessed, and to make use of such Lands, Tenements, Buildings, or Hereditaments, for the Purposes of this Act, and they shall be and are hereby indemnified for so doing; and all and every Person and Persons, Bodies Politick, Corporate, and Collegiate whatsoever, shall from henceforth be, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property, to or in the same.

XIX. And

Expences of the Jury how to be paid.

XIX. And be it further enacted, That in all Cafes where any Verdict ſhall be given for a greater Sum or Recompence than ſhall have been offered by or on Behalf of the ſaid Commiſſioner or Truſtees reſpectively before the ſummoning of any ſuch Jury, for or in reſpect of any ſuch Lands, Tenements, Hereditaments, or Damages as aforeſaid, that then all the Expences of ſuch Jury, and the Witneſſes attending in conſequence thereof, and of taking ſuch Inqueſt, ſhall be paid by the ſaid Commiſſioner or Truſtees reſpectively, out of the Monies to ariſe by virtue of this Act; but if any Verdict ſhall be given for no more or a leſs Sum than ſhall have been ſo previouſly offered by or on Behalf of the ſaid Commiſſioner or Truſtees, then and in every ſuch Caſe ſuch Expences ſhall be paid by the Owners of or Perſons intereſted in the Lands, Tenements, Buildings, or Hereditaments in queſtion.

For diſpoſing of the Herbage of the Banks.

XX. And be it further enacted, That the Herbage and Produce of the Banks to be made or erected by virtue of this Act, ſhall belong to and be the Property of the Proprietors or Occupiers of the Lands adjoining thereto reſpectively, and ſhall be conſumed or taken away at the Option of ſuch Proprietors or Occupiers, ſubject nevertheleſs to ſuch Rules, Orders, and Regulations for ſtocking the ſaid Banks, and fencing the ſame from the adjoining Lands, as the ſaid Commiſſioner or Truſtees reſpectively ſhall from Time to Time think neceſſary, and order, direct, or appoint, for the Protection and Preſervation thereof.

Compenſation for Mr. *Turnor*'s Fiſhing Garths.

XXI. Provided always, and it is hereby further enacted, That if in the Execution of this Act the ſmall Pieces of Land or Fiſhing Garths, the Property of *Edmund Turnor* Eſquire, within the ſaid Pariſh of *Blankney*, ſhall be dug up or deſtroyed, it ſhall be lawful for the ſaid *Edmund Turnor*, his Heirs and Aſſigns, and he and they is and are authorized and empowered to uſe, occupy, and enjoy the Foreland and Bank to be ſet out and erected next the River *Witham*, for the Space ſuch Pieces of Land or Fiſhing Garths reſpectively extend, in ſuch and the like Manner, and for ſuch and the like Purpoſes as the ſaid Pieces of Land or Fiſhing Garths have been heretofore held and enjoyed, ſubject nevertheleſs to ſuch Orders and Regulations reſpecting the fencing thereof as the Commiſſioner appointed or to be appointed by or under the Authority of this Act ſhall direct and award, and without Prejudice to the Powers and Authorities veſted in the general Commiſſioners acting under the ſaid *Witham* Act.

Money belonging to Corporations to be re-inveſted.

XXII. And be it further enacted, That the principal Money to ariſe from the Sale of any Lands or Hereditaments which ſhall be purchaſed for the Purpoſes of this Act of any Body Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Femes Covert or Feme Covert, or other incapacitated Perſon or Perſons, ſhall, in caſe the ſame ſhall exceed the Sum of Twenty Pounds, be paid to ſuch Perſon or Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed to be re-inveſted in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to and upon and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premiſes, which ſhall be purchaſed from them reſpectively by the

ſaid Truſtees were reſpectively ſettled, limited, or aſſured, at the Time of purchaſing the ſame, or ſuch of them as at the Time of making ſuch Conveyances and Settlements ſhall be exiſting and capable of taking Effect; and in the mean Time and until ſuch Purchaſe or Purchaſes ſhall be made, the ſaid Money ſhall be placed out by ſuch Bodies Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or other Perſon or Perſons as aforeſaid, in ſome of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Perſons, to be nominated by the Party or Parties intereſted therein, and to be approved of by the ſaid Commiſſioner or Truſtees reſpectively; and the Dividends or Intereſt ariſing or to be produced from ſuch Funds or Securities ſhall be paid to ſuch Perſon or Perſons reſpectively as would for the Time being be entitled to the Rents and Profits of ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed, conveyed, and ſettled, by virtue of this Act.

How Drains are to be cleanſed in caſe Proprietors neglect.

XXIII. And be it further enacted, That if any Proprietor or Proprietors, Occupier or Occupiers, of any of the ſaid Low Lands intended to be drained by virtue of this Act, ſhall refuſe or neglect to cleanſe, ſcour out, and keep ſufficiently wide and deep, any Drain, Ditch, or Dyke, or neglect to make and keep in Repair any private Road or Way, Fence, Dam, Bank, Bridge, Gate, Stile, or Tunnel, which ſhall be directed in or by the Award of the Commiſſioner in this Act mentioned to be ſcoured, cleanſed, made, or kept in Repair by him, her, or them, in ſuch Manner as ſhall be therein directed, after Fourteen Days Notice in Writing ſhall be given to him, her, or them, for that Purpoſe, by the Officer or Officers reſpectively for managing the Works of the ſaid Drainage for the Time being, it ſhall and may be lawful to and for ſuch Officer or Officers reſpectively, and he and they is and are hereby authorized and required, to cauſe ſuch Drain, Ditch, or Dyke, to be cleanſed and ſcoured, or ſuch private Road or Way, Fence, Dam, Bank, Bridge, Gate, Stile, or Tunnel, to be made and repaired, in ſuch Manner as ſhall be directed in the ſaid Award; and the Proprietor or Proprietors, Occupier or Occupiers, ſo refuſing or neglecting as aforeſaid, ſhall reimburſe and pay unto ſuch Officer or Officers all ſuch Coſts, Charges, and Expences, as ſhall be incurred by the cleanſing, ſcouring, making, and repairing any Drain, Ditch, or Dyke as aforeſaid, with reaſonable Satisfaction unto ſuch Officer or Officers for his or their Time and Trouble therein; and in caſe ſuch Proprietor or Proprietors, Occupier or Occupiers ſhall (after Demand made by ſuch Officer or Officers) refuſe or neglect to reimburſe and pay all ſuch Coſts, Charges, Expences, and Satisfaction as aforeſaid, then the ſame ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of the Party ſo refuſing, by virtue of a Warrant or Precept under the Hand and Seal of the ſaid Commiſſioner, or under the Hands and Seals of the ſaid Truſtees reſpectively for the Time being for putting this Act into Execution.

How the Charges of obtaining and executing the Act are to be paid.

XXIV. And be it further enacted, That the Coſts, Charges, and Expences, of obtaining and paſſing this Act, and of ſurveying, admeaſuring, and planning, the ſaid Low Lands ſo intended to be drained as aforeſaid, and the Coſts and Charges of preparing and enrolling the ſaid Award or Inſtrument, and all reaſonable Charges and Expences of the ſaid Commiſſioner, ſhall be paid and borne by an equal Acre Rate or Tax

Tax upon all the Lands to be embanked and drained by virtue of this Act, and that the Expence of purchaſing Lands for the cutting of Drains, and erecting Banks, and alſo the Charges and Expences of making, erecting, ſupporting, and uſing, the ſaid Works of Drainage, and all other Expences of embanking and draining the ſaid Low Lands not herein otherwiſe provided for, ſhall from Time to Time, as the ſaid Commiſſioner ſhall ſee Occaſion, be borne and paid by the Proprietors and Owners of the Low Lands to be drained by virtue of this Act, in Manner following; (that is to ſay), the Owners of the ſaid Low Lands in *Walcot*, ſhall bear and defray ſuch of the ſaid Charges and Expences laſt mentioned, as ſhall ariſe and be incurred within the ſaid Hamlet of *Walcot*; that the Owners of the ſaid Low Lands in the Townſhip of *Timberland-Thorpe*, and Pariſh of *Timberland* aforeſaid, but not within the Hamlet or Townſhip of *Martin* within the ſaid Pariſh of *Timberland*, ſhall bear and defray ſuch of the ſame Charges and Expences as ſhall ariſe and be incurred in *Timberland-Thorpe*, and *Timberland* aforeſaid; and that the Owners of the ſaid Low Lands in *Martin*, *Linwood*, and *Blankney* aforeſaid, ſhall bear and defray ſuch of the ſame Charges and Expences as ſhall ariſe and be incurred within the ſaid Townſhip of *Martin*, and Pariſh of *Blankney*, by an equal Acre Rate or Tax to be charged upon the ſaid Low Lands reſpectively liable to the Payment thereof, in Manner aforeſaid, by an Acre Rate or Tax to be charged upon ſuch Lands reſpectively, not exceeding Five Pounds in the Whole for every Acre of the ſaid Low Lands ſo to be embanked and drained; and in caſe any Proprietor or Owner ſhall refuſe or neglect to pay his or her Share or Proportion of ſuch Coſts, Charges, and Expences, within the Time or Times reſpectively for that Purpoſe to be limited by the ſaid Commiſſioner, to ſuch Perſon or Perſons as he ſhall appoint to receive the ſame, then it ſhall be lawful to and for the ſaid Commiſſioner, or any Perſon or Perſons to be authorized by him, to enter into and upon the Lands ſo to be embanked and drained, of ſuch Perſon ſo refuſing or neglecting, and the Rents, Iſſues, and Profits thereof to receive and take, until thereby or otherwiſe, his or her ſaid Share or Proportion of the ſaid Coſts, Charges, and Expences, together with all ſuch Coſts, Charges, and Expences occaſioned by and attending ſuch Entry upon and Receipt of the Rents and Profits of the ſame Premiſes reſpectively, and alſo Intereſt for ſuch Share and Proportions from the Time the ſame ſhall be made payable by the ſaid Commiſſioner, ſhall be fully ſatisfied and paid.

Guardians, &c. may borrow Money.

XXV. And be it further enacted, That it ſhall and may be lawful to and for the Huſbands, Guardians, Truſtees, Committees, or Attornies of, or Perſons acting as Guardians, Truſtees, Committees, or Attornies for any of the ſaid Owners and Proprietors of the ſaid Low Lands, being under Coverture, Minors, Idiots, or beyond the Seas, or otherwiſe incapable to act for themſelves, and to and for every of them for the Time being, and to and for any of the ſaid Owners or Proprietors, being Tenants in Tail or for Life only, and to and for every of them reſpectively for the Time being, by and with the Conſent of the ſaid Commiſſioner, in Writing under his Hand and Seal, from Time to Time to charge the ſaid Low Lands which are intended to be drained by virtue of this Act, with ſuch Sum or Sums of Money not exceeding Five Pounds an Acre, for defraying the Charges and Expences of this Act, and for

making the ſaid Survey, and the Charges and Expences of the ſaid Commiſſioner, and of embanking and draining the ſaid Low Lands, by virtue of this Act, and all other neceſſary Coſts and Expences about and concerning the Premiſes; and for ſecuring the Re-payment of ſuch Sum or Sums of Money, with Intereſt, to grant, mortgage, leaſe, or demiſe, or otherwiſe ſubject the ſaid Low Lands, unto ſuch Perſon or Perſons as ſhall advance and lend ſuch Sum or Sums of Money reſpectively, for any Term or Number of Years; ſo as every ſuch Grant, Mortgage, Leaſe, or Demiſe, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered, when ſuch Sum or Sums of Money thereby to be ſecured, with the Intereſt thereof, ſhall be fully paid and ſatisfied; and ſo as every ſuch Grant, Mortgage, Leaſe, or Demiſe, do alſo contain a Proviſo that the Perſon or Perſons entitled in Remainder or Reverſion to any ſuch Low Lands, ſhall not be liable, upon his or their becoming poſſeſſed thereof, to the Payment of any further or larger Arrear of Intereſt than for One Year preceding the Time that his, her, or their Title to ſuch Poſſeſſion ſhall have commenced; and ſo as that in any Grant or Demiſe to be made by the Rector of *Blankney* aforeſaid, a Proviſo be alſo inſerted, requiring the ſaid Rector for the Time being to pay off and diſcharge annually One Thirtieth Part of the whole Principal Money to be borrowed as aforeſaid, and that in Default thereof the next ſucceeding Rector ſhall not be ſubject or liable to pay a greater Share of the ſaid Principal Money than would have remained due at the Death, Ceſſion, or Reſignation of the laſt preceding Incumbent, had ſuch Annual Reduction been made as herein is directed.

Mortgages may be aſſigned.

XXVI. And be it further enacted, That all and every Perſon or Perſons to whom any Grant, Mortgage, Leaſe, or Demiſe ſhall be made by virtue of this Act, as a Security for any Sum or Sums of Money by him, her, or them lent or advanced on the Credit and for the Purpoſes mentioned in this Act, or who ſhall be entitled to the Money thereby ſecured, ſhall and may, from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal or Hands and Seals, to be executed in the Preſence of Two or more credible Witneſſes, aſſign or transfer the ſame Security or Securities, or the principal Money and Intereſt thereby ſecured, and all Benefit and Advantage thereof, and all his, her, or their Right, Title, and Intereſt in and to the ſame, unto any other Perſon or Perſons whomſoever, who may again in like Manner aſſign the ſame, and ſo *toties quoties*; and ſuch Mortgagee or Mortgagees, Aſſignee or Aſſignees, his, her, or their Executors and Adminiſtrators, and all Perſons claiming under them or any of them, ſhall and may uſe, take, and purſue all ſuch Methods, Courſes, and Expedients, in Law or Equity, for recovering and obtaining Poſſeſſion of the Premiſes ſo to be mortgaged, demiſed, or aſſigned as aforeſaid, in caſe of Non-payment of the principal Money and Intereſt to be thereby ſecured, or any Part thereof, as is or are uſed, taken, and purſued in all Caſes of the like Nature.

Tenants in Tail, *&c.* may charge Money advanced by them.

XXVII. And be it further enacted, That it ſhall and may be lawful to and for any Tenant or Tenants in Tail or for Life, of any of the ſaid Low Lands intended to be embanked and drained by virtue of this Act, by any Deed or Deeds in Writing, or by his, her, or their laſt Will and

Teſtament, duly executed according to Law, to charge ſuch Low Lands as ſhall not have been mortgaged or ſubjected to the Re-payment of ſuch Sum as aforeſaid, with ſuch Sum or Sums of Money, (not exceeding Five Pounds an Acre), as ſhall be appointed by the Commiſſioner for putting this Act into Execution to be paid, and which, by any Writing or Writings under the Hand of the ſaid Commiſſioner, ſhall be certified to have been accordingly paid by ſuch reſpective Tenant or Tenants in Tail or for Life, for his, her, or their Share or Proportion of the Coſts, Charges, and Expences of this Act, and of draining the ſaid Low Lands in purſuance thereof; which Sum and Sums of Money ſo to be charged as aforeſaid, ſhall be payable within One Year next after the Deceaſe of every ſuch Tenant in Tail or for Life, with Intereſt for the ſame after the Rate of Five Pounds *per Centum per Annum*, to be computed from his, her, or their reſpective Deceaſe, unto ſuch Perſon or Perſons as ſuch Tenant or Tenants in Tail or for Life, ſhall, by ſuch Deeds or Wills and Teſtaments reſpectively, direct or appoint; and in Default of ſuch Direction and Appointment, to his, her, or their reſpective Executors or Adminiſtrators.

All ſuch Charges ſhall be valid.

XXVIII. And be it further enacted, That every ſuch Grant, Mortgage, Leaſe, or Demiſe, and every ſuch Charge as aforeſaid to be made of or upon any of the ſaid Low Lands, ſhall be good, valid, and effectual in the Law, for the Purpoſes hereby intended, notwithſtanding the Want of Title in the ſaid Huſbands, Guardians, Truſtees, Committees, or Attornies, or Tenants in Tail or for Life, and notwithſtanding any Settlement, Will, Truſt, Uſe, Remainder, Limitation, or other Incumbrance of or concerning the ſaid Low Lands, or any Part or Parts thereof, then in being or capable of taking Effect to the contrary.

Commiſſioner to make an Award.

XXIX. And be it further enacted, That within the Space of Six Calendar Months after the ſaid Embankment and Drainage ſhall be completed, the ſaid Commiſſioner or his Succeſſor for the Time being, ſhall form and draw up, or cauſe to be formed and drawn up, an Award or Inſtrument in Writing, which ſhall expreſs the Quantity in Statute Meaſure of Acres, Roods, and Perches, contained in the ſaid Low Lands ſo intended to be embanked and drained as aforeſaid, and the Quantity and Contents of each Owner's Property in the ſaid Low Lands, to be aſcertained in Manner aforeſaid, and proper Orders and Directions for and concerning the laying out, making, maintaining, cleanſing, and keeping in Repair, the Ditches, Drains, Dams, Banks, Tunnels, Engines, and other neceſſary Works, in, upon, and over the ſaid Low Lands intended to be embanked and drained as aforeſaid; and for and concerning the Nomination and Election of Truſtees for the further Execution of this Act, and all ſuch Orders, Regulations, and Determinations, as are in or by this Act mentioned, declared, required, or authorized to be made and eſtabliſhed; and ſuch other Orders and Regulations as ſhall be neceſſary or proper, conformable to the Tenor of this Act, for the more eaſy, convenient, and effectual Execution thereof, and for preventing all Difficulties and Diſputes in relation to the Matters herein contained; which Award or Inſtrument ſhall be fairly engroſſed or written upon Parchment, and ſigned and ſealed by the ſaid Commiſſioner, with a fair Plan or Map of all the Lands intended to be embanked and drained, drawn upon Vellum, to be annexed to the ſame; and the

ſaid Award or Inſtrument, with a Duplicate of the ſaid Plan, ſhall, within the Space of Six Calendar Months after ſuch ſigning and ſealing, together with the Commiſſioner's Oath herein-before mentioned, be enrolled with the Clerk of the Peace for the Parts of *Keſteven* in the ſaid County of *Lincoln*, or in One of His Majeſty's Courts of Record at *Weſtminſter*, to the End Recourſe may be had to the ſame by any Perſon or Perſons intereſted in the ſaid Embankment and Drainage; and the ſaid Award with the ſaid Oath, or a true Copy of the Inrolment thereof, or of any Part thereof reſpectively, certified by the proper Officer, ſhall from Time to Time be admitted in all Courts whatſoever as legal Evidence; which Copy or Copies the proper Officer for the Time being of the Court where ſuch Inrolment ſhall be made, is hereby directed to make and deliver to any Perſon or Perſons deſiring the ſame, he, ſhe, or they paying for ſuch Copy after the Rate of Two-pence *per* Sheet, reckoning Seventy-two Words to each Sheet; and any Perſon or Perſons ſhall have Liberty to inſpect and peruſe the ſaid Inrolment, paying for every ſuch Inſpection or Peruſal One Shilling, and no more; and that all Orders, Directions, Regulations, and Determinations, ſo to be made as aforeſaid, ſhall be binding and concluſive unto and upon all Parties intereſted therein; and the ſaid original Award or Inſtrument and Plan, after the ſame ſhall be ſo enrolled as aforeſaid, ſhall be depoſited in a Cheſt within the Church of *Timberland* aforeſaid, amongſt the Records of the ſaid Pariſh, for the Inſpection and Peruſal of the ſeveral Proprietors of Lands within the ſaid ſeveral Hamlets or Townſhips and Pariſhes of *Walcot*, *Timberland-Thorpe*, *Timberland*, *Martin*, *Linwood*, and *Blankney*, intended by this Act to be embanked and drained.

Commiſſioner may contract for Works.

XXX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioner, by Advertiſement in the *Lincoln* and *Stamford* Newſpaper, to appoint a Time and Place to receive Propoſals from, and enter into, make, and execute Contracts with any Engineers or Workmen, for embanking and draining the ſaid Low Lands, and for providing proper Engines, Utenſils, and Materials for that Purpoſe, and all other Matters, Articles, and Things concerning the ſame; and all ſuch Contracts, ſo to be made, ſhall be entered in a Book to be kept for that Purpoſe, and ſigned by the ſaid Commiſſioner.

Power of Commiſſioner to ceaſe upon Election of Truſtees.

XXXI. Provided always, and be it enacted and declared, That, from and immediately after the Appointment of Truſtees for the Purpoſes of continuing and preſerving the ſaid Works of Drainage, as herein-after mentioned, the ſeveral Powers and Authorities granted to the ſaid Commiſſioner ſhall ceaſe and determine; any Thing herein-before contained to the contrary notwithſtanding.

Commiſſioner may levy all Taxes laid by him before his Power ceaſes.

XXXII. Provided nevertheleſs, That the ſaid Commiſſioner ſhall have full Power and Authority, by virtue of this Act, at any Time or Times after ſuch Appointment of Truſtees, to levy, recover, and receive all ſuch Rates, Taxes, Coſts, Charges, and Sums of Money, as before the Time of ſuch Appointment ſhall have been rated, taxed, or charged by him, upon any of the ſaid Lands or Grounds hereby intended to be embanked and drained, and ſhall then be in Arrear and unpaid; any Thing herein contained to the contrary notwithſtanding.

XXXIII. And,

XXXIII. And, in order that the ſeveral Banks, Drains, Engines, and other Works neceſſary for preſerving the ſaid Low Lands intended to be drained by virtue of this Act, may be maintained, ſupported, and kept in Repair; be it further enacted, That the ſaid Commiſſioner ſhall, in and by the ſaid Award herein directed to be made and executed, order, direct, and appoint in what Manner, and by whom, and for what Term of Years, proper Perſons ſhall from Time to Time be nominated and appointed Truſtees, and for what Hamlets or Townſhips and Pariſhes ſuch Truſtees ſhall reſpectively be appointed, for preſerving the ſaid Works of Drainage within the ſaid Low Lands intended to be embanked and drained by virtue of this Act; and ſuch Perſons as ſhall be from Time to Time appointed, purſuant to the Order and Direction of the ſaid Commiſſioner contained in the ſaid Award, ſhall be and are hereby appointed Truſtees for putting in Execution the Powers and Authorities hereby given to and veſted in them reſpectively, in, over, and upon ſuch of the ſaid Low Lands, and the Works of Drainage ſituate within the ſame, for and over which they ſhall be reſpectively appointed to act as Truſtees in Manner aforeſaid, and they are hereby reſpectively fully authorized and empowered to make, ſupport, erect, alter, and maintain, or cauſe to be made, erected, altered, ſupported, and maintained, all ſuch Cuts, Tunnels, and Watercourſes through and under any Banks whatſoever to be made upon or againſt the ſaid Lands and Grounds by virtue of this preſent Act; and all ſuch Cuts, Drains, Dams, Banks, Sluices, Tunnels, Bridges, Trays, Stamps, Outlets, Engines, and other Works, in, upon, through, and over the ſaid Low Lands, as the Truſtees, acting within and for the Hamlets, Townſhips, or Pariſhes wherein ſuch Works of Drainage ſhall reſpectively be ſituate or become requiſite, ſhall think neceſſary for draining and preſerving the ſame; and that it ſhall be lawful for a Majority of the Truſtees for the Time being for the ſaid Low Lands ſituate within ſuch of the ſaid Hamlets, Townſhips, or Pariſhes in which the ſaid Truſtees ſhall be reſpectively appointed to act, to do and perform every Act and Thing neceſſary to be done in purſuance of this Act, and to put in force and execute all and every the Powers and Authorities veſted in the ſaid Truſtees, and the ſame ſhall be as valid and effectual to all Intents and Purpoſes as if done, performed, or executed by all the ſaid Truſtees: Provided always nevertheleſs, that no ſuch Order, Direction, or Appointment of or reſpecting the Truſtees for the ſaid reſpective Hamlets or Townſhips and Pariſhes as aforeſaid, ſhall be valid, or inſerted by ſuch Commiſſioner in his Award, unleſs the ſame ſhall have been ſubmitted to and approved of by the Majority in Value of the ſeveral Owners or Proprietors of the Lands to be embanked and drained within each reſpective Hamlet, Townſhip, or Pariſh, or their Deputies or Agents, appointed by Writing under their Hands, who ſhall attend at a Meeting to be held for that Purpoſe, purſuant to a Notice to be given by the ſaid Commiſſioner, in the like Manner as is herein-before directed with reſpect to Notices of Meetings for chooſing a new Commiſſioner; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding. Appointment of Truſtees.

XXXIV. And, for the better and more effectual maintaining, ſupporting, repairing, cleanſing, and uſing, the Engines, Drains, Dams, Banks, and other Works herein-before directed to be made for the Purpoſe of draining and preſerving the ſaid Low Lands; be it further enacted, Annual Taxes.

ed, That it ſhall and may be lawful to and for the ſaid Truſtees to be reſpectively appointed in and by the Award of the ſaid Commiſſioner, as herein is directed, and they are hereby reſpectively authorized and required to meet on the Second *Tueſday* in *May* in every Year, at ſome convenient Houſe within the Hamlet, Townſhip, or Pariſh, for which ſuch Truſtees ſhall be reſpectively appointed to act (at all which Meetings their reaſonable Expences only ſhall be allowed them); and the ſaid Truſtees to be appointed for ſuch Hamlet, Townſhip, or Pariſh reſpectively, ſhall then and there rate, tax, and aſſeſs, all and every the Owner and Owners of all and every the ſaid Low Lands and Grounds intended to be drained by virtue of this Act, lying and being within the Hamlet, Townſhip, or Pariſh, in which the ſaid Truſtees ſhall be empowered to act reſpectively, by ſuch an equal proportionable Acre Rate or Tax as ſhall be neceſſary to pay and diſcharge the Expences of maintaining, ſupporting, and uſing, the ſaid Works for draining and preſerving the ſaid Low Lands, and the reaſonable Expences only of the ſaid Truſtees at their ſaid Yearly Meetings, and the Salary or Salaries for ſuch Officer or Officers as ſhall be by them appointed for collecting or receiving ſuch Rates or Taxes, and managing and taking Care of the ſaid Engines and Works, and of other Matters relating to the ſaid Drainage (which ſaid Rates and Taxes the ſaid Truſtees are hereby authorized and required to apply accordingly) and to appoint under their Hands ſuch certain Days and Places for the Payment of ſuch Rates and Taxes Half-yearly to the Collectors or Receivers thereof, as they the ſaid Truſtees ſhall reſpectively think proper.

Power to diſtrain for Taxes.

XXXV. And be it further enacted, That if any Perſon or Perſons ſo rated, taxed, or aſſeſſed as aforeſaid, ſhall refuſe or neglect to pay the Money ſo rated, taxed, or aſſeſſed on him, her, or them reſpectively, within Thirty Days after the reſpective Times of Payment to be appointed as aforeſaid (publick Notice of the ſaid Times of Payment being affixed on the Door of the Church in the Pariſh wherein the ſaid Land ſo taxed ſhall be ſituate) at ſuch Place as ſhall be ſpecified in ſuch Notice, it ſhall be lawful for ſuch Collector or Receiver, or ſuch other Perſon or Perſons authorized by virtue of any Warrant or Precept under the Hands and Seals of the ſaid Truſtees acting for ſuch Hamlet, Townſhip, or Pariſh, (which Warrant or Precept ſuch Truſtees are hereby empowered and required, from Time to Time, to grant as Occaſion ſhall require), to levy ſuch Sum or Sums ſo taxed or aſſeſſed, and all Arrears thereof, by Diſtreſs and Sale of the Goods and Chattels, after deducting the Coſts and Charges of taking or making of ſuch Diſtreſs and Sale, or otherwiſe it ſhall and may be lawful to and for the ſame Truſtees, from Time to Time, to enter upon the Lands and Grounds ſo to be drained and preſerved reſpectively, belonging to or occupied by ſuch Perſon or Perſons ſo refuſing or neglecting to pay as aforeſaid, and the Rents and Profits thereof reſpectively, to receive and take, until thereby or otherwiſe ſuch Taxes, Rates, or Aſſeſſments, and all Arrears thereof, ſo from Time to Time directed to be paid by ſuch Perſon or Perſons as aforeſaid, and all Coſts, Charges, and Expences, occaſioned by or attending upon Entry and Receipt of the Rents and Profits of ſuch Premiſes, ſhall be fully paid and ſatisfied; and the Tenant or Tenants of all and ſingular ſuch Lands and Grounds ſo to be rated, taxed, or aſſeſſed, is and are hereby required and authorized to pay ſuch Sum and Sums ſo aſſeſſed

and rated thereon, as the ſame ſhall become due, and it ſhall be lawful for ſuch Tenant or Tenants to reimburſe him, her, or themſelves, ſuch Sum or Sums of Money out of the next Rent to become due to his, her, or their Landlord or Landlords reſpectively, who ſhall allow the ſame to be deducted out of his, her, or their Rents accordingly.

Commiſſioner and Truſtees to account.

XXXVI. And be it further enacted, That the ſaid Commiſſioner ſhall, and he is hereby required to keep an Account in Writing of all Monies by him received, laid out, and aſſeſſed on the Parties intereſted or concerned in the ſaid Embankment and Drainage, previous to the Execution of the ſaid Award, and ſhall at all ſeaſonable Times permit any of the Proprietors to inſpect ſuch Account, with the Vouchers, for any Money therein charged, to have been paid by him or by his Order, and deliver the ſaid Account to the Proprietors at the Time of executing the ſaid Award; and that, from and after the Execution of the ſaid Award or Inſtrument, the Commiſſioner and Truſtees reſpectively for the Time being for executing this Act, are hereby reſpectively required to keep an Account of all Monies received and diſburſed in purſuance hereof, and ſhall permit any of the Proprietors at any ſeaſonable Times to inſpect and copy the ſame; and the ſaid Commiſſioner and Truſtees reſpectively ſhall, from Time to Time, on the Appointment of Truſtees to ſucceed them, purſuant to the Directions contained in the Award of the ſaid Commiſſioner, or within Seven Days next after, deliver ſuch Account, and make Payment of all the Money ariſing by virtue of this Act, and then in their Hands, to the ſucceeding Truſtees, which Money ſhall be by them laid out and diſpoſed of for the Purpoſes of this Act.

Power to appoint Officers.

XXXVII. And be it further enacted, That the ſaid Commiſſioner and Truſtees reſpectively, at any Meetings to be held in purſuance of this Act, or at any other Time or Times, by Writing under his or their Hand and Seal or Hands and Seals, ſhall have full Power and Authority to nominate and appoint One or more proper Perſon or Perſons to be Collector or Collectors, Receiver or Receivers of the reſpective Taxes and Rates to be aſſeſſed and levied by virtue of this Act, within the Hamlet, Townſhip, and Pariſhes for which ſuch Truſtees reſpectively act, and a Clerk or Clerks, and ſuch other neceſſary Officer or Officers as they ſhall judge proper for the Management and keeping in Repair the ſaid Engines, Banks, and other Works of Drainage, to be made by virtue of this Act, and to allow and appoint to be paid to ſuch Officer or Officers, out of ſuch Rates and Taxes, ſuch Yearly or other Salary, or Salaries or Wages, for their Trouble and Pains in executing ſuch Offices, as the ſaid Commiſſioners and Truſtees reſpectively ſhall think reaſonable; which ſaid Collector or Collectors, Receiver or Receivers, Clerk or Clerks, or other Officer or Officers, ſhall, before they act in the Execution of their reſpective Offices, give ſuch Security for the due Execution thereof as the ſaid Commiſſioner and Truſtees reſpectively ſhall require; and all ſuch Collectors, Receivers, Clerks, and other Officers, when thereunto required by the ſaid Commiſſioner and Truſtees reſpectively, ſhall give in to ſuch Commiſſioner and Truſtees reſpectively, upon Oath, (which Oath the ſaid Commiſſioner or Truſtees is or are hereby authorized to adminiſter), a true, exact, and perfect Account in Writing under their reſpective Hands, with proper Vouchers for all Monies which ſhall have been received and paid by them reſpectively, by

virtue of their ſaid Offices, to the Time of giving in ſuch Account, and ſhall pay to the ſaid Commiſſioner and Truſtees reſpectively, or ſuch Perſon or Perſons as they ſhall, by Writing under their Hands, authorize to receive the ſame, all ſuch Money as ſhall, upon balancing the ſaid Account, be adjudged by the ſaid Commiſſioner and Truſtees reſpectively to be due from ſuch Officers, and deliver up the ſaid Vouchers, and all Books and Writings relating to the ſaid Offices, to the ſaid Commiſſioner and Truſtees reſpectively; and in caſe any ſuch Collector, Receiver, Clerk, or other Officer, ſhall not give in and make ſuch Account and Payment as aforeſaid, or ſhall refuſe or neglect to deliver up all ſuch Books and Writings to the ſaid Commiſſioner and Truſtees reſpectively, or to ſuch other Perſon or Perſons as he or they ſhall order and direct to receive the ſame, then and in either of the ſaid Caſes, it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace for the Parts of *Keſteven* aforeſaid, to make Enquiry of ſuch Default in a ſummary Way, and if ſuch Officer or Officers ſhall be thereof convicted, either by the Confeſſion of the Party or by the Teſtimony of One or more Witneſs or Witneſſes upon Oath, (which Oath the ſaid Juſtice or Juſtices is and are hereby authorized and required to adminiſter), ſuch Juſtice or Juſtices ſhall commit the Party to the Common Gaol of the ſaid Parts of *Keſteven*, there to remain until he ſhall have made a perfect Account and Payment as aforeſaid, and delivered up all ſuch Books and Writings in his Cuſtody, or ſhall have compounded and agreed with the ſaid Commiſſioner and Truſtees reſpectively, which Compoſition and Agreement the ſaid Commiſſioner and Truſtees are hereby reſpectively empowered to make.

Mills and Buildings, &c. not to be erected near Engines.

XXXVIII. And be it further enacted, That, from and after the paſſing of this Act, no Mill, Gigg, or other Engine, for throwing or diſcharging Water from any of the Lands and Grounds to be drained by virtue of this Act, ſhall be built, ſet up, or uſed thereon, (except by the ſaid Commiſſioner and Truſtees reſpectively), or any Houſe, Barn, or other Building, or Stack or Rick of Hay, Grain, Straw, or other Thing, ſhall be built or ſet, or Tree or Holt be planted or growing near to any Mill or Engine which ſhall be made, erected, or employed for the Purpoſes of this Act, than Twenty Poles (being the Pole of Eighteen Feet) from ſuch Mill or Engine; nor ſhall any Tree or Holt be planted nearer to any of the ſaid Banks than Twelve Feet; and if any Perſon or Perſons, except the ſaid Commiſſioner and Truſtees reſpectively, ſhall build, ſet up, or uſe any ſuch Mill, Gigg, or Engine, or ſhall plant any Tree or Holt within the reſpective Diſtances aforeſaid, or ſhall build or erect, or cauſe to be built or erected, any Houſe, Barn, or other Building, or ſuch Stack or Rick, within the ſaid Diſtance of Twenty Poles from any ſuch Mill or Engine, every ſuch Perſon ſo offending ſhall forfeit One Shilling for every Tree, Five Pounds for every Holt ſo planted, and Twenty Pounds for every Houſe, Barn, or other Building, Stack or Rick, ſo built or erected, or ſuch Gigg or Engine ſo built, ſet up, or uſed; to be paid to the Collector for the Time being of the Rates and Taxes to be raiſed by virtue of this Act, and to be recovered by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid Parts of *Keſteven*, by Diſtreſs and Sale of the Goods and Chattels of the Perſons liable to pay ſuch Forfeiture, the Overplus (if any) being returned to the Owner of ſuch Goods and Chattels, after deducting the reaſonable

Charges of such Distress and Sale, and the said Forfeiture when recovered shall be applied for the Purposes of this Act; and such Trees, Holts, and Houses, Barn, or other Building, Stacks, Mills, Ricks, Giggs, and Engines, shall and may be cut and taken down by any Surveyor or other Officer appointed for managing the Works of the said Drainage, or by any other Person or Persons for that Purpose authorized by the said Commissioner or Trustees respectively; and it shall be lawful for any such Surveyor or Officer, or other Person or Persons so authorized, to cut down any Trees or Holts which shall be growing or standing within the said respective Distances aforesaid, from any such Mill, Engine, or Bank, at the Time such Mill, Engine, or Bank, shall be erected or made, making such Satisfaction to the Owners of such Trees or Holts as shall be agreed upon between the said Commissioner or Trustees respectively and such Owner, or in case they cannot agree concerning the same, it shall be ascertained and finally settled by the Justices of the Peace at any Quarter Sessions to be held for the said Parts of *Kesteven*.

This Act not to prejudice the Works of the *Witham*.

XXXIX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, obstruct, or defeat, any of the Works made or to be made in pursuance of the said Act for draining and preserving certain Low Lands called *The Fens*, lying on both Sides the River *Witham*, in the County of *Lincoln*, and for restoring and maintaining the Navigation of the said River from the High Bridge in the City of *Lincoln*, through the Borough of *Boston* to the Sea; or to empower the Commissioner or Trustees acting by virtue of this Act, or any of the Owners or Proprietors of the Lands and Grounds hereby intended to be drained, to invalidate, lessen, alter, or take away any of the Rights, Powers, and Authorities, which by the said Act were vested in all or any of the Commissioners acting under the same, but that the same shall be and continue as full, to all Intents and Purposes, as if this Act had never been made; any Thing herein contained to the contrary in anywise notwithstanding.

Persons destroying Works guilty of Felony.

XL. And be it further enacted, That all and every Person or Persons whomsoever who shall, contrary to the Powers in this Act given at any Time or Times hereafter, wilfully and maliciously cut, break down, burn, destroy, or damage any Bank, Mill, Engine, or Sluice, or any other of the Works which shall be erected and made for the draining and embanking the said Low Lands, or any Part thereof, and shall thereof be lawfully convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony, and the Court by and before whom such Person or Persons shall be tried, shall and have hereby Power and Authority to punish such Felons in like Manner as other Felons are directed to be punished by the Laws and Statutes of this Realm.

Limitation of Actions.

XLI. And it is hereby further enacted, That if any Action, Suit, or Information shall be commenced or prosecuted against any Person or Persons, for any Thing done or to be done in pursuance of this Act, or in the Execution of the Powers and Authorities hereby given, every such Action, Suit, or Information shall be commenced or made within Six Calendar Months next after the Fact committed; and not afterwards, and shall be laid or brought in the County of *Lincoln*, and not elsewhere; and

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 the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become Non-ſuit, or forbear Proſecution, or diſcontinue his, her, or their Suit or Suits, or if Judgement ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then and in any of the ſaid Caſes the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe, or they ſhall have the like Remedy as where Coſts by Law are awarded.

Appeal to the Seſſions.

XLII. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by any Thing which ſhall be done in purſuance of this Act by the ſaid Commiſſioner, (except in ſuch Caſes where the Orders and Determinations of the ſaid Commiſſioner are herein declared to be final, binding, and concluſive), may appeal to the Juſtices of the Peace at ſome General Quarter Seſſions to be held within Four Calendar Months next after the Cauſe of ſuch Complaint ſhall have ariſen, for the Parts of *Keſteven*, in the ſaid County of *Lincoln*; the Perſon or Perſons ſo appealing, firſt giving Fourteen Days Notice thereof in Writing to the Party or Parties appealed againſt, and entering into a Recognizance, with Two ſufficient Sureties, to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be awarded by ſuch Juſtices to be paid by ſuch Appellants reſpectively; and the Juſtices in their ſaid General Quarter Seſſions are hereby authorized and required to hear and determine ſuch Appeal, and to give ſuch Coſts to either Party as they ſhall think reaſonable, and to make ſuch Order therein as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ of *Certiorari*, into any of His Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Declaring the Act Publick.

XLIII. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without the ſame being ſpecially pleaded.

FINIS.