



ANNO QUINQUAGESIMO

GEORGH III. REGIS.

Cap. 31.

An Act for amending and rendering more effectual an Act, of the Ninth Year of His present Majesty, for embanking, draining, and preserving certain Low Grounds in the Parish of *Laneham*, and other Parishes and Places therein mentioned, in the County of *Nottingham*. [6th April 1810.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for embanking, draining, and preserving certain Low Grounds in the Parishes or Townships of Laneham, Rampton, Treswell, South Leverton, North Leverton, Hablesthorpe, otherwise Apesthorpe, Littlebrough, Sturton, Fenton, and West Burton, in the County of Nottingham; whereby William Cartwright of Marnham, William Handley of Newark, Henson Kirby of Workop, in the County of Nottingham, Thomas Hutton of Burton, and Luke Turnell of Torksey, in the County of Lincoln, were appointed Commissioners for putting the said Act in execution: And whereas the Commissioners appointed by and by virtue of the said recited Act, did proceed to carry the same into execution, and divers Banks, Cuts, Drains, Dams, Sewers, Ditches, Tunnels, Outlets, Headings, Trays, Stamps, Engines, Cloughs and other Works, in, through, and upon the Lands and Grounds, subject to be overflowed or annoyed with Water, within the said respective Parishes and Townships, were, under and by virtue of the Powers of the said recited Act, filled up, changed, removed, made, altered, supported, and maintained, and the Commissioners appointed under, or by virtue of the said Act, did ascertain and determine the Annual Value of the respective Lands and Grounds so embanked and drained as aforesaid;*

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and the Names of the respective Proprietors thereof, and the Proportion and Quantum of the Annual Tax and Assessment to be charged upon and paid in respect of the same, and also the Time and Times when the same should become due and payable, and did cause such Determination to be written on Parchment, and to be signed and sealed by the said Commissioners, and delivered to the Clerk of the Peace for the said County of *Nottingham*, to be filed with the Rolls of the said County, as by the said recited Act is directed; but divers of the Powers and Authorities by the said Act given and granted, and particularly as to the Nomination, Election, Duration, and Qualification of Commissioners, for carrying the said Act into further Execution, have been found in many Respects defective and inconvenient and insufficient, for the Purposes of continuing, amending, preserving, supporting, or altering the said Embankment and Drainage, or for making an effectual and complete Embankment and Drainage of the said Low Grounds and Lands, within the said several Parishes or Townships, and the same cannot be effected unless new Commissioners are appointed, and the Rates and Assessments so ascertained and fixed by the former Commissioners named in or appointed under or by virtue of the Powers of the said former Act, and by them reduced into Writing, and filed with the Clerk of the Peace for the said County of *Nottingham*, be raised, collected and paid, and some other of the Powers and Provisions of the said Act, be altered, amended, and enlarged; 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 *Anthony Hardolph Eyre* of Grove in the said County of *Nottingham*, Esquire, *Francis Ferrand Foljambe* of *Osberton* in the said County of *Nottingham*, Esquire, *Robert Moody* of *Mattersey* in the said County of *Nottingham*, Esquire, *George Moody* of *Beckingham* in the said County of *Nottingham*, Esquire, and *John Parker* of *East Retford* in the said County of *Nottingham*, Esquire, and their Successors, to be, from time to time, and at all and every Time and Times for ever hereafter elected and chosen in the Manner hereinafter prescribed and mentioned, shall be and they are hereby appointed Commissioners for putting into execution as well the said former Act as this Act, subject to the several Rules, Orders and Directions therein and herein expressed; and that all and every the Powers, Authorities, Provisoes, Penalties, Forfeitures, Restrictions, Clauses, Matters and Things whatsoever, contained in the said former Act (except only such of them as are hereby varied, altered or repealed, and also except such Parts thereof as relate to Exemptions from Stamp Duties) shall be and the same are hereby declared to be in full Force and Effect, so far as the same are applicable in the Execution and for the Purposes of this Act, and shall and may be put in Execution for completing and maintaining any Work or Works to be done or performed by virtue or under the Authority of this Act, by the said *Anthony Hardolph Eyre*, *Francis Ferrand Foljambe*, *Robert Moody*, *George Moody*, and *John Parker*, and their Successors, to be elected and chosen in the Manner hereinafter prescribed or mentioned, for more effectually embanking, draining, and preserving the said Low Grounds, in the said several Parishes and Townships of *Laneham*, *Rampton*, *Treswell*, *South Leverton*, *North Leverton*, *Hablesthorpe*, otherwise *Apesthorpe*, *Littlebrough*, *Sturton*, *Fenton*, and *West Burton* aforesaid, in as full and ample Manner and as effectually to all Intents and Purposes as if the said Powers, Authorities, Provisoes, Penalties, Forfeitures, Restrictions, Clauses, Mat-

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Commissioners named, and such Part of the former Act as is not hereby repealed to stand in force.

ters and Things were repeated and re-enacted in and by this Act; and the said *Anthony Hardolph Eyre, Francis Ferrand Foljambe, Robert Moody, George Moody, and John Parker*, shall be the only Commissioners for the Execution of the said former Act and this Act, and shall remain and continue Commissioners for that Purpose until the End of the first whole Week in the Month of *August* One thousand eight hundred and thirteen, or until other Persons shall be nominated and appointed in their Places, pursuant to the Powers for that Purpose hereinafter enacted and contained, but under the Restrictions nevertheless hereinafter expressed and mentioned; and the said *Anthony Hardolph Eyre, Francis Ferrand Foljambe, Robert Moody, George Moody, and John Parker*, and their Successors, to be elected and chosen in Manner hereinafter prescribed, shall have, and are hereby vested with such and the same Powers and Authorities in all Respects, and to all Intents, Constructions and Purposes as were given to and vested in the Commissioners first named and appointed in the said recited Act, and their Successors for ever; and they the said *Anthony Hardolph Eyre, Francis Ferrand Foljambe, Robert Moody, George Moody, and John Parker*, or the major Part of them, and the major Part of their Successors respectively, shall and may execute all and every the Powers and Authorities given and granted by the said former Act, which are not hereby altered or repealed, and also all and every the Powers and Authorities given and granted by this Act.

II. And be it further enacted, That so much of the said former Act as directs that the Commissioners thereby appointed and to be appointed for the Execution of the same, or any Three or more of them, shall meet Twice in every Year (to wit) in the Months of *April* and *September*, or at any other Time or Times as they shall see Cause or think convenient, and giving Notice in Writing for that Purpose signed by Three or more of the said Commissioners, and affixed to the Doors of the respective Churches of the said several and respective Parishes and Townships, at the least Ten Days before every such Meeting, at some convenient Place to be appointed by the said Commissioners or any Three or more of them, and may adjourn themselves and meet again pursuant to such Adjournment; and that in case of any Omission of any such Meetings, Adjournments or Notices respecting the same, any Three or more of the said Commissioners shall and may appoint any other Time of Meeting for the Purposes of the said Act, causing Notice thereof to be affixed on the Doors of the Churches of the said several and respective Parishes or Townships at least Ten Days before such Meeting; which Meeting might be adjourned in like Manner as any other Meeting thereby appointed to be held; shall be and the same is hereby repealed.

Time and
Notice of
Meetings,
repealed.

III. And be it further enacted, That all and every the Power and Powers Authority and Authorities in the said former Act contained, for the Nomination, Election and Appointment of Five Persons to be Commissioners for the Execution of the Powers and Authorities of the said Act after the Determination of the Commissioners for ascertaining the Annual Value of the Lands and Grounds so to be embanked and drained, and fixing the Annual Proportion of the Rates and Assessments to be laid, collected, and paid in respect of such Lands and Grounds, was reduced into Writing and filed with the Clerk of the Peace for the said County of *Nottingham*, and also all and every Clause, Matter, and Thing touching or concerning such Nomination, Election, and Appointment of Commissioners in the said former Act

Powers for,
and former
Election of
Commission-
ers, repealed.

Act contained, and all and every Appointment of Commissioners made in pursuance of the said former Act, now subsisting thereunder, shall be and are hereby repealed.

Appoint-
ment of new
Commission-
ers, in case
of Death,
&c. within
Three Years.

IV. And be it further enacted, That upon the Death, Refusal, or Incapacity to act of any one of the said *Anthony Hardolph Eyre, Francis Ferrand Foljambe, Robert Moody, George Moody, and John Parker*, before the Expiration of the first whole Week in the Month of *August* One thousand eight hundred and thirteen, and also upon the Death, Refusal, or Incapacity to act of any one of their Successors, to be nominated and appointed as hereinafter is prescribed, before the Expiration of the Time for which he shall or may be appointed a Commissioner as aforesaid, it shall and may be lawful to and for all and every the Proprietors of the said Low Grounds and Lands within the said several Parishes or Townships of *Laneham, Rampton, Treswell, South Leverton, North Leverton, Hablesthorpe*, otherwise *Apesthorpe, Littlebrough, Sturton, Fenton, and West Burton*, or any of them who are respectively Owners of Twenty Acres or more of such of the said Low Lands, as in and by the said Determination of the said former Commissioners are made chargeable with the Rates and Assessments to be laid, collected, and paid, in respect of such Lands and Grounds, or the major Part of such Proprietors at any Meeting to be holden for that Purpose at *East Retford*, in the said County of *Nottingham*, within Six Calendar Months next following such Death, Refusal, or Incapacity to act as aforesaid, by Writing under their Hands to nominate or appoint one other Person to be a Commissioner in the Place or Stead of such Commissioner so dying or refusing to act, or becoming incapable of acting as aforesaid, and so from time to time as Occasion shall require, which Appointments shall respectively be made at Meetings to be held for that Purpose at *East Retford* aforesaid (of which Meetings Fourteen Days previous Notice shall be given in Writing signed by the Clerk of the said Commissioners, and affixed upon the Doors of the respective Churches of the said Parishes and Townships); and every Commissioner so elected and nominated shall, after such Election and Nomination, have the same Power and Authority for executing the said former Act and this Act, as the Commissioner in whose Stead he shall be elected and nominated was or would have been invested with; and every such Election, Nomination, and Appointment shall be recorded by the Clerk of the said Commissioners in the Book of Proceedings of the said Commissioners.

Persons
liable to
Rates may
be elected.

V. And be it further enacted, That any Person may be capable of being from time to time nominated, elected and appointed a Commissioner for the Execution of the said former Act and this Act, notwithstanding he may be chargeable with or liable to the Payment of any Rate or Assessment to be hereafter rated, collected, or paid under the Powers of the said former Act or this Act.

General Ap-
pointment of
new Commis-
sioners every
Three Years.

VI. And be it further enacted, That in the first whole Week in the said Month of *August* One thousand eight hundred and thirteen, it shall and may be lawful to and for all and every the Proprietors of Low Grounds so entitled to vote for the Election of Commissioners as aforesaid, or the major Part of them, and they are hereby authorized and empowered, at a public Meeting to be for that Purpose called and holden at *East Retford* aforesaid (Notice in Writing of such Meeting signed by the Clerk of the said

said Commissioners for the time being, to be affixed upon the Doors of the respective Churches of the said Parishes or Townships, and inserted in some Newspaper usually circulated in the said County of *Nottingham*, at least Fourteen Days before any such Meeting) by Writing under their Hands to nominate, elect, and appoint Five other Persons to act as Commissioners for putting into execution as well the said former Act as this Act for the Term of Three Years only, or until others shall be elected in their Places, in the Place or Stead of the Persons acting or nominated to act as Commissioners as aforesaid; and that Commissioners shall in Manner aforesaid for ever hereafter be nominated and appointed in the first whole Week in the Month of *August* every succeeding Three Years; which Commissioners and their Successors from time to time, and at all Times hereafter during their acting as Commissioners as aforesaid, shall have and possess the like Powers and Authorities vested in them as are herein, and in and by the said former Act, given to the said original Commissioners and their Successors.

VII. Provided always, That no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers hereby given (unless it be the Power of administering an Oath to the other Commissioners) until he shall have taken and subscribed the Oath following (that is to say); Commissioners' Oath.

‘ I do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute the Trusts, Powers, and Authorities reposed in me as a Commissioner by virtue of Two several Acts, the one passed in the Ninth Year of the Reign of His Majesty King *George* the Third, intituled, “ An Act for embanking, draining and preserving certain Low Grounds in the Parishes or Townships of *Laneham, Rampton, Treswell, South Leverton, North Leverton, Hablesthorpe, otherwise Apesthorpe, Littlebrough, Sturton, Fenton, and West Burton, in the County of Nottingham,*” and the other passed in the Fiftieth Year of the said Reign, for amending and rendering more effectual the said first-mentioned Act.
‘ So help me GOD.’

Which Oath it shall be lawful for any One of the said hereby appointed Commissioners, and their Successors, to be elected in the Manner hereby directed, to administer, and he is hereby authorized and required to administer the same to any other of the said Commissioners (appointed or to be appointed as aforesaid); and the said Oath, so taken and subscribed by each Commissioner, shall be entered in the Book to be provided and kept for entering their Orders and other Proceedings under this Act.

VIII. Provided also, and be it further enacted, That it shall and may be lawful to and for every Proprietor of Low Grounds so entitled to vote for the Election of Commissioners as aforesaid, and he or she is hereby authorized and empowered from time to time, by Writing under his or her Hand, to nominate or appoint a Person to act for him or her at every such Meeting as aforesaid for the Choice of One or more Commissioners; and such Person, so nominated and appointed, shall and may vote in the Nomination and Appointment of One or more Commissioners from time to time, as fully and effectually as if such Proprietor in whose Behalf he shall be appointed to act was present at such Meeting for the choice of Commissioners as aforesaid. Agents of Proprietors to vote in the choice of Commissioners.

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IX. And

Commissioners' Meetings.

One Commissioner may adjourn.

Recital of Power to make Rates.

IX. And be it further enacted, That the Commissioners respectively hereby nominated, or from time to time to be nominated and appointed, for putting into execution the said former Act and this Act, or any Three of them, may execute the said former Act and this Act, and shall meet Twice in every Year (to wit) in the Months of *March* and *October*, or at any other Time or Times as they shall see cause or think convenient; and shall hold their Meetings at *East Retford* aforesaid, or at any other convenient Place or Places, without giving any public or other Notice in Writing of such their Meetings; and may adjourn any such Meeting from time to time, as they shall see Occasion, for the Execution of the said former Act and this Act; and in case Three Commissioners shall not meet at the Time and Place appointed for any Meeting, it shall be lawful for any One of the said Commissioners present at such Time and Place to adjourn such Meeting to be holden on a future Day at the same or any other convenient Place; and the Commissioner making such Adjournment, or the Clerk of the said Commissioners, shall and is hereby required to give the absent Commissioners at least Seven Days Notice thereof in Writing.

X. And whereas it is enacted in and by the said former Act, That the Commissioners should in Manner therein mentioned enquire, examine, determine, and set down in Writing the Annual Value per Acre of the said respective Lands and Grounds as the same would be, with the Improvement arising or to arise from the said Embanking and Drainage, and upon Consideration thereof assess, tax, and charge upon the said respective Lands and Grounds, and the Owners and Proprietors thereof, such Sum and Sums of Money to be raised, levied, and paid in respect of every Acre of the said Lands and Grounds in the Three First Years, to be computed from the Twenty-fourth Day of *June* One thousand seven hundred and sixty-nine, as they should deem just and reasonable, according to their Determination of the Annual Value per Acre of the said Lands and Grounds, so as the same did not exceed the Rate of Forty Shillings by the Acre in each of the said Three First Years for any of the said Lands and Grounds so to be embanked and drained as aforesaid; and for every Year after the End of the said Three Years, to be computed as aforesaid, such Sum and Sums of Money to be raised, levied, and paid in respect of every Acre of the said Lands and Grounds as they should deem just and reasonable in proportion to their estimated or determined Annual improved Value of each Acre of the said Lands and Grounds, so as the same did not exceed the Rate of Seven Shillings an Acre for any of the Lands and Grounds so to be drained as aforesaid, and in like Proportion for any Part or Parts less than an Acre; the Sum and Sums so to be assessed, taxed, and charged, to be from time to time applied as in the said former Act is directed: And whereas it is enacted in and by the said former Act, that the Determination of the said Commissioners, or any Three or more of them, for ascertaining and determining the Annual Value of the respective Lands and Grounds to be embanked and drained by virtue thereof, and the Names of the respective Proprietors thereof, and the Proportion and Quantum of the said Annual Tax and Assessment to be charged upon and paid in respect of the same as aforesaid, and also the Time and Times when the same shall become due and payable, should be fairly written and engrossed on Parchment, and be signed and sealed by the said Commissioners, or any Three or more of them, and should be delivered to the Clerk of the Peace for the said County of *Nottingham*, and should be filed with the Rolls of the said County, and the

the same, or a Copy thereof duly attested by the said Clerk of the Peace to be a true Copy, should be admitted as Evidence in all Courts whatsoever; which said Determination in Writing, filed as aforesaid, at all Times thereafter should be and be taken to be the Rule and Standard, both as to the Quality and Annual Value of the said Lands and Grounds, whereby all Taxes, Assessments, and Rates to be assessed, charged, raised, levied and paid upon, and out, and in respect of the said Lands and Grounds so to be embanked and drained as aforesaid, for the Purposes of the said Embanking and Drainage, should be laid, taxed, assessed, charged, rated and proportioned at any Time or Times thereafter: And whereas *William Handley, John Lindley, and Thomas Whitaker*, Gentlemen, being Three of the acting Commissioners appointed under or by virtue of the Powers and Authorities mentioned and contained in the said former Act, did (in pursuance and by virtue thereof) on or about the Third Day of *December* in the Year of our Lord One thousand seven hundred and eighty-one, prepare and execute their Award or Instrument in Writing, fairly written or ingrossed on Parchment, containing, amongst other Things, the Determination of the Commissioners for ascertaining the Value of the Lands and Grounds embanked and drained by virtue of the said former Act, and fixing the Annual Proportion of the Rates and Assessments to be laid, collected, and paid in respect of such Lands and Grounds, and did cause the said Award or Instrument in Writing to be delivered to the Clerk of the Peace for the said County of *Nottingham* to be filed, and the same now remains filed with the Rolls of the said County: And whereas it is expedient that some Provisions be made, as well for defraying the necessary Expences of obtaining and executing this Act, as for the continuing, carrying on, and effectuating the embanking and draining of the said Low Lands and Grounds, and maintaining the same, and the Works already done, and hereafter to be done under and by virtue of the same former Act and this Act: Be it therefore enacted, that it shall and may be lawful for the said *Anthony Hardolph Eyre, Francis Ferrand Foljambe, Robert Moody, George Moody, and John Parker*, and their Successors to be appointed Commissioners for the Execution of the said former Act and this Act as hereinbefore is mentioned, and they are hereby respectively empowered, from time to time, to assess, tax and charge upon the several Lands and Grounds comprized and mentioned in the said Award or Determination of the said former Commissioners, so executed and filed as aforesaid, and on the several Owners and Proprietors of the same respectively, for the time being, for the Purposes aforesaid, such Sum and Sums of Money to be raised, levied, and paid in respect of every Acre of the said Lands and Grounds as shall be deemed just and reasonable, according to such Determination of the Annual improved Value of each Acre of the said Lands and Grounds so ascertained by the said former Commissioners (except as hereinafter is mentioned), so as the same do not exceed the Rate of Seven Shillings by the Acre in each Year, for any of the Lands and Grounds so embanked and drained as aforesaid, and in like Proportion for any Part or Parts thereof less than an Acre; unless the Proprietors of the said Lands and Grounds so embanked and drained as aforesaid, or a Majority of them in value, at any Meeting or Meetings to be holden for that Purpose pursuant to Notice in Writing signed by the said Commissioners or their Clerk, and affixed on the Church Doors of the respective Townships or Parishes at least Ten Days before any such Meeting, and by Advertisement in the *Nottingham Journal*, or some other Newspaper usually circulated in the said County of *Nottingham*, shall authorize and empower

Rates to be made.

empower the said Commissioners to raise a further or larger Assessment for the general Purposes of this Act, the Amount whereof to be fixed at such Meeting; in which Case it shall and may be lawful for the said Commissioners to assess, tax, and charge the said Lands and Grounds, and the Owners and Proprietors thereof (in proportion as aforesaid) with any Annual Sum or Sums of Money exceeding Seven Shillings an Acre accordingly, but not above the Sum fixed at such Meeting.

Provision for rating Lands that may become inclosed, &c.

XI. Provided always, and be it further enacted, That in all Cases where any of the Lands and Grounds so embanked and drained, and comprised in the said Assessment or Determination of the said former Commissioners, and which were then open and uninclosed, have been, or shall hereafter be divided, allotted, and inclosed by virtue of any Act or Acts of Parliament, it shall and may be lawful for the said Commissioners appointed by this Act, and their Successors, and they are hereby required, in any Tax or Rate to be made by them as aforesaid, to regulate and divide the Assessment or Charge made by the said former Commissioners on such open and uninclosed Lands and Grounds amongst the Proprietors or Owners thereof for the time being, in such Manner and Proportions as to them shall seem just and reasonable, so that the Assessment, Rate, or Charge, to be so made, taxed, regulated, and divided by them, shall not in the whole exceed the Sum taxed and charged upon the said open and uninclosed Lands and Grounds respectively in and by the said Assessment or Determination of the said former Commissioners.

Application of the Money.

XII. And be it further enacted, That all and every the Sum and Sums of Money, so to be assessed, taxed, raised, and charged, shall from time to time be paid and applied for and towards defraying the necessary Expences of obtaining and executing this Act, and for continuing, carrying on and effectuating the Embanking and Drainage of the said Lands and Grounds, and maintaining the same, and the Works already done, or hereafter to be done under and by virtue of this or the said former Act, and also for the Repayment of any Sum or Sums of Money borrowed of any Person or Persons under the Powers of the former or this present Act, together with Interest for the same, and shall be payable and paid to the Collector or Collectors, Receiver or Receivers for the time being appointed to receive the same, at such certain Days and Times in each and every Year as shall from time to time be by the said Commissioners limited and appointed for the Payment thereof respectively, and shall be recovered and recoverable in such and the same Manner, by virtue of any Warrant or Precept under the Hands and Seals of any Three of the said Commissioners (which Warrant or Precept the Commissioners hereby appointed, and to be hereafter appointed by virtue of the Powers herein contained, or any Three of them, are hereby empowered and required to grant as Occasion shall require) as the Rates and Assessments are by the said former Act directed to be levied and recovered by virtue of any Warrant or Precept under the Hands and Seals of any Three or more of the said Commissioners named in or appointed under or by virtue of the said former Act.

Power to sell Drains, &c. continued as such.

XIII. And whereas it may in the Judgment of the said Commissioners be found necessary and convenient to discontinue the Use of several of the Banks, Cuts, Drains, Tunnels, Outlets, Sluices, Shuttles, Engines, Cloughs, and other Works heretofore made and erected, or hereafter to

be made and erected, for carrying into effect the said Embankment and Drainage, and in such Cases it will be expedient to invest the said Commissioners and their Successors with full Power, not only to sell and dispose of the Materials of which the said respective Works are erected and built, but also from time to time to sell and convey the Lands and Grounds which have at any Time been used for the Purposes of the said Embankment or Drainage, as Banks, Cuts, Drains, Tunnels, or Outlets, but intended to be discontinued as such, and the Fee Simple and Inheritance of such respective Lands and Grounds: Be it therefore further enacted, That all and every the Lands and Grounds which have at any Time heretofore, been used for the Purposes of the said Embankment and Drainage, as Banks, Cuts, Drains, Tunnels, or Outlets, or shall hereafter be used by the said Commissioners, or their Successors, for any or either of the same Purposes, and all and every the Banks, Cuts, Drains, Tunnels, Outlets, Sluices, Shuttles, Engines, Cloughs, and other Works thereupon made or erected by virtue of or under the Powers of the said recited Act or this Act, shall be and are hereby vested in the said Commissioners and their Successors in order to effectuate any such Sale and Conveyance thereof as hereinbefore is mentioned; and the Materials thereof respectively shall and may, from time to time, be sold by the said Commissioners and their Successors, or any Three or more of them, to any Person or Persons whomsoever, either by public Auction or private Contract at their Discretion; and all and every the said Lands and Grounds, or any Part or Parts of the same, shall and may from time to time be sold and conveyed by the said Commissioners and their Successors, or any Three or more of them, to any Person or Persons whomsoever, either by public Auction or private Contract, at their Discretion; and the Conveyance or Conveyances which shall be made of such Lands or Grounds respectively, being executed by the said Commissioners or their Successors, or any Three or more of them, and inrolled with the Clerk of the Peace for the said County of *Nottingham*, shall be good, valid, and effectual in Law to all Intents, Constructions, and Purposes whatsoever, and the Monies from time to time arising and to be produced by such respective Sales shall be applied towards carrying on the said Embankment and Drainage.

XIV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, obstruct, injure, prevent or defeat any of the Works made or to be made by the Company of Proprietors of the River *Trent* Navigation, under the Authority of any Act or Acts of Parliament made or passed for the Improvement of the Navigation of the said River *Trent*. This Act not to prejudice the Works made under the Powers of the River *Trent* Navigation Acts.

XV. And be it further enacted, That the Owner or Owners, Occupier or Occupiers of any of the Lands and Grounds so embanked and drained as aforesaid, shall make, and at all Times hereafter keep all the Outring and Division Drains and Ditches, belonging to their said Lands respectively, of such Width and Depth as the said Commissioners shall from time to time order and direct, and also from time to time, and at all times hereafter, cause the same Drains and Ditches to be well and effectually scoured and cleansed from Weeds and Obstructions, and also Stocks or Inlets to be placed in and through the Banks already raised, or hereafter directed to be raised, when the same shall be needful, for the better Drains to be kept as Commissioners shall direct.

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issuing and conveying away the Waters therein; and if any such Owner or Occupier shall refuse or neglect to make or keep such his or her Ditches or Drains of such Dimensions as shall from time to time be directed by the said Commissioners, or to scour or cleanse the same from Weeds or other Obstructions, or to place such Stocks or Inlets as aforesaid, after Fourteen Days Notice in Writing to him or her given, or left at his or her last or usual Place of Abode, under the Hands of One or more of the said Commissioners, then it shall and may be lawful for the said Commissioners to cause the same to be done and executed in a proper and effectual Manner, and by Warrant under their Hands and Seals to authorize and empower their Collector or Collectors, or any other Person or Persons, to levy the Money expended in doing and executing the same, by Distress and Sale of such Goods and Chattels as shall then, or at any Time thereafter, be found on the Lands or Grounds to which such Ditches, Drains and Tunnels shall belong, (over and above the Rates and Taxes chargeable, or to be charged upon the same Lands and Grounds by virtue of this Act, or the said former Act,) rendering the Overplus (if any) after all Charges paid, to such Owner or Owners, Occupier or Occupiers respectively, when demanded.

Commissioners may remove Obstructions.

XVI. And be it further enacted, That the said Commissioners shall have full Power, and they are hereby authorized and empowered, to remove or cause to be removed all Impediments, Annoyances, and Obstructions whatsoever, from time to time in the said Drains, Ditches, Cuts and other Works.

Penalty on Persons refusing or objecting to remove Obstructions.

XVII. And be it further enacted, That in case any Person or Persons who shall occasion any Impediment, Annoyance, or Obstruction in such Drains, Ditches, Cuts, and other Works as aforesaid, shall refuse or neglect to remove the same in such Manner as the said Commissioners or their Agents, Officers, or Workmen shall require, for the Space of Ten Days after Notice in Writing given for that Purpose in Manner aforesaid, every such Person or Persons so neglecting or refusing, on Conviction before any Justice of the Peace for the said County of *Nottingham*, by the Oath or Oaths of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay the Sum of Five Pounds, to be levied by the like Distress and Sale of the Offenders' Goods and Chattels by Warrant under the Hand and Seal of such Justice; which Sum, so forfeited, shall be employed in and towards carrying on the Works and Improvements to be done and executed in pursuance of this Act; and for want of sufficient Distress such Offender or Offenders shall, by Warrant under the Hand and Seal of such Justice, be committed to the House of Correction for any Time not exceeding Three Calendar Months, or until such Penalty shall be paid or otherwise compounded for, which Composition the said Commissioners are hereby empowered to make.

New Works not to be done without the Consent of the Proprietors, and without public Notice given.

XVIII. Provided always, and be it further enacted, That no new Work or Works of Embankment or Drainage not executed by the said original Commissioners shall be carried into effect, or executed by or under the Orders or Directions of the Commissioners appointed, or to be appointed for the Execution of the said former Act and this Act, unless the same shall be assented to and approved by a majority in Value of the Proprietors of

Lands

Lands and Grounds so embanked and drained as aforesaid, or their respective Agents present at a General Meeting to be holden at *East Retford*, aforesaid, for the Purpose of taking the Expediency of such new Work or Works into Consideration (of which Meeting Twenty-one Days previous Notice shall be given in Writing, signed by the Clerk of the said Commissioners, and affixed upon the Doors of the respective Churches within the said several Parishes or Townships.)

XIX. And be it further enacted, That if any of the Proprietors or Persons interested in the said Lands and Grounds by this Act directed to be more effectually embanked and drained, or the Person or Persons by them employed to solicit and obtain the same, or any other Person or Persons whomsoever, shall advance any Money for or towards defraying the Charges and Expences thereof, or preparatory and incident thereto, and of carrying the same into execution, or shall have already advanced any Money for those Purposes, such Person or Persons shall, out of the first Monies which shall be raised by virtue of this Act, be repaid the same with Interest after the Rate of Five Pounds *per Centum per Annum* from the respective Times of advancing thereof.

Persons advancing Money towards the Expences of this Act to be repaid with Interest.

XX. And be it further enacted, That so much of the said former Act as directs that if any Person shall wilfully or maliciously cut, lay open, throw down, or destroy any Bank or Clough, or other Work to be erected, made or continued in pursuance of the said former Act, and be thereof lawfully convicted, such Person shall be adjudged guilty of Felony, and shall be subject and liable to the Pains and Penalties as in case of Felony, shall be and is hereby repealed, and instead thereof, all and every Person or Persons who shall at any Time or Times hereafter wilfully and maliciously cut, throw down, burn, or otherwise damage or destroy any Bank, Drain, Dam, Engine, Floodgate, Clough, or other Work or Works erected or made, or to be erected or made, or which shall at any Time hereafter be making or erecting for the embanking, draining, preserving, or improving the said Lands and Grounds, or any Part thereof, and shall thereof be lawfully convicted, shall be deemed guilty of a Misdemeanor, and shall be subject and liable to the Pain, Penalty, and Punishment of Fine or Imprisonment, and the Courts by and before whom such Person or Persons shall be tried, shall have full Power and Authority to convict and punish him and them accordingly.

For punishing persons damaging or destroying the Works of Drainage

XXI. And be it further enacted, That the said Commissioners appointed and to be appointed for the Execution of the said former Act and this Act, and all Engineers, Collectors, Receivers, Treasurers, Surveyors, Superintendants and other Officers and Workmen, acting or employed under or by virtue of the said former Act and this Act, shall have Licence and Liberty, and they are severally hereby authorized from time to time, and at all seasonable Times, either on Horseback or on Foot, to go or travel, pass and repass along the Lands adjoining or near to the Banks, Drains, Cuts and other Works already made or to be made by virtue of this Act and the former Act, when and so far as Occasion shall require for the due and proper Execution of their said respective Offices, and of the Trusts and Duties to be by them performed or discharged by virtue of this Act and the said former Act, doing as little Damage as may be,

Empowering the Commissioners and other Persons to pass along the Lands adjoining to the Works.

be, and making Compensation for such Damage, to be settled and ascertained in the Manner prescribed by the said former Act with respect to any Damage to be done in the Execution thereof.

Commissioners' Allowance.

XXII. And be it further enacted, That out of the Money that shall be raised for defraying the Expences of obtaining and executing this Act, there shall be paid to each of the said acting Commissioners, as a Remuneration for his Pains and Trouble, the Sum of Two Pounds and Two Shillings and no more, for each Day he shall be employed in travelling to, returning from, and attending in the Execution of the said Act, and that the said Commissioners shall defray their travelling Expences, and also their own Expences at all Meetings to be held in pursuance of the said Act.

Public Act.

XXIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices and others, without being specially pleaded.

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