



ANNO TERTIO

GEORGIIV. REGIS.

Cap. xxiii.

An Act to amend an Act for draining and improving Lands in the Parishes of *Bray, White Waltham, Shottesbrook, Lawrence Waltham, Binfield, Ruscomb, Wargrave, Remenham, and Hurley*, in the County of *Berks*, and the Liberties of *Whistley* and *Broad Hinton*, in the Parish of *Hurst*, in the Counties of *Berks* and *Wilts.* [15th May 1822.]

WHEREAS an Act was passed in the Fifty-eighth Year of the 58 G. 3. c. 50.
Reign of His late Majesty King *George* the Third, intituled
An Act for draining and improving Lands in the Parishes
of Bray, White Waltham, Shottesbrook, Lawrence Waltham, Binfield,
Ruscomb, Wargrave, Remenham, and Hurley, in the County of Berks,
and the Liberties of Whistley and Broad Hinton, in the Parish of Hurst,
in the Counties of Berks and Wilts; whereby it was amongst other Things
enacted, that at such Time (being within Two Years from the passing of
the said Act) as the Commissioners therein named should, by Writing
under their Hands to be notified in the Manner therein directed, declare
the works of Drainage and Improvement by the said Act directed to
be completed, they the said Commissioners should cause Public Notice
to be given that the Proprietors or their Deputies or Agents would meet at
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Commissioners may declare Works of Drainage to be completed within a further Time.

the Time and Place therein mentioned, to make choice of Ten Trustees, (being One for each of the said Parishes and Liberties respectively,) and being respectively possessed of One hundred Acres of Land in the Parish or Liberty for which such Person should be chosen for the further putting the said Act into Execution: And whereas the period of Two Years from the passing of the said Act hath elapsed, and the said Commissioners have not yet declared the Works of Drainage and Improvement to be completed; and it is expedient that the Period prescribed for such Declaration and for such Appointment of Trustees should be enlarged; but forasmuch as such Objects cannot be obtained 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 at such Time (being within Twelve Months from the passing of this Act) as the Commissioners named in the said recited Act, or their Successors, to be nominated, elected, and appointed in the Manner therein mentioned, or any Three or more of them, shall, by Writing under their Hands, to be published in One or more of the Newspapers circulated in the Neighbourhood of the said Parishes, declare the Works of Drainage and Improvement by the said Act directed to be completed, they the said Commissioners shall cause Public Notice to be given in the said Parish Churches respectively, on some *Sunday* or *Sundays* immediately after Divine Service, or by Advertisement in the Manner directed by the said Act, that the Proprietors, or their Deputies or Agents to be appointed in Writing under their Hands, will meet at the *Sun Inn*, at *Maidenhead*, or at some other convenient Place, on some Day to be named therein, at the Expiration of Twenty-one Days from the Date of such Notice, then and there to make Choice of Ten Trustees, being One for each of the said Parishes and Liberties respectively, and being respectively possessed of One hundred Acres of Land, in the Parish or Liberty for which such Person shall be chosen, for the further putting the said Act into Execution in the Manner directed by the said recited Act.

On election of Trustees Powers of Commissioners shall cease.

II. And be it further enacted, That from and immediately after such Election of Trustees as hereinbefore mentioned, the several Powers and Authorities, Rules, Orders, Regulations, and Responsibilities granted to or imposed upon the said Commissioners in and by the said recited Act shall cease and determine; any Thing herein contained to the contrary notwithstanding.

Rates how to be made.

III. Provided nevertheless, and be it enacted, That all Rates and Assessments which shall from Time to Time be made by the said Trustees upon the Lands, Tenements, and Hereditaments, included in the Rates or Assessments made by the Commissioners for the Purpose of the said Drainage and Improvement, shall be made according and in Proportion to the actual Benefit and Advantage which, in the Judgment of the said Trustees, such Lands, Tenements, and Hereditaments shall respectively have derived from such Drainage and Improvement; and in case any Person or Persons, being Owners, Lessees, or Occupiers of any such Lands, Tenements, or Hereditaments shall think himself, herself, or themselves aggrieved by any such Rate or Assessment so to be made by the said Trustees as to the Proportion

tion of rating, or otherwise, the said Trustees, or the major Part of them to be assembled at every Meeting to be held according to the Directions of the said Act, shall have Power to alter the said Rate, and reduce or expunge the Charge or Charges which shall be so objected against without quashing the whole of the said Rate; and in case such Person or Persons so objecting shall not be satisfied with the Determination of the said Trustees, Three Persons shall be nominated and appointed to view the said Lands, Tenements, and Hereditaments, and to enquire into the State and Condition thereof, One of which Persons (not being a Trustee, or any Officer under the said Trustees, or other Persons interested in the Drainage or Rate in question) shall be nominated and appointed by the said Trustees at some One of their Meetings; One other by the Person or Persons complaining or objecting against such Rate or Assessment, and the Third Person by such Two Persons so to be chosen as aforesaid, all of whom shall be sworn well and truly to view, examine into, and determine the Matter of such Complaint (which Oath any Justice of the Peace for the County of *Berks* shall have Power to administer); and the Judgment and Determination of such Referees, or any Two of them, upon the Matter of such Reference, signified to the respective Parties by Writing under their Hands, shall in all Cases be final and conclusive to all Parties; and the Costs and Charges of such Reference shall be borne and paid by the said Trustees, and the Persons objecting to such Rate or Assessment, in such Proportions as such Referees shall direct; any Thing in this or the said recited Act contained to the contrary notwithstanding.

IV. Provided also, and be it enacted, That the Books of Account, which by the said recited Act the Trustees are required to direct to be provided and kept by their Clerk for the Time being, shall at all seasonable Times be open for the Inspection not only of the Trustees, but also of all the Proprietors of Lands, Tenements, and Hereditaments, which for the Time being shall be rated and taxed towards the Expence of the said Drainage and Improvement, without Fee or Reward; and that such Proprietors, or any of them, shall and may take Copies of or Extracts from the said Books, or any Part or Parts thereof, without paying any Thing for the same; and that the Clerk for the Time being shall be subject to the like Penalty for refusing to permit such Proprietor or Proprietors to inspect such Accounts, and take such Copies or Extracts as aforesaid, as in and by the said recited Act is imposed in case of Refusal to the Trustees.

Books of Account to be open to Inspection.

V. Provided always, and be it further enacted, That nothing in this Act or the said recited Act contained shall empower the said Trustees to make a fresh Assessment within the Space of Three Months from the Time of making and signing the preceding Assessment, and that all such Assessments shall be made upon the Basis of the Fifth Assessment made by the said Commissioners.

No Rate to be made within Three Months of the preceding one.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to certify the Works to be complete and adequate to the Purposes of Drainage intended by the said recited Act; or to surrender the same into the Hands of the said Trustees, to be appointed in Manner aforesaid, until the same shall have been declared to have been so completed by a Certificate under the Hand of some competent Person (not being the Surveyor to the said

Commissioners not to certify the Works of Drainage to be completed until a Surveyor shall have

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inspected
the Works.

Commissioners) to be appointed to inspect and examine the same by the Justices of the Peace or the major Part of them assembled at some General or Quarter Sessions of the Peace for the said County of *Berks*, (which Appointment the said Justices are hereby authorized and required to make,) and until the Certificate of such competent Person shall have been inrolled with the Clerk of the Peace at some subsequent General or Quarter Sessions of the Peace for the said County; provided also, that the Costs and Charges of such Application, Inspection, and Enrolment shall be defrayed out of the First Assessment to be made by the said Trustees, in the Manner directed by the said recited Act.

Public Act.

VII. 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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