



ANNO SEPTIMO

# GEORGII IV. REGIS.

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## *Cap. cxxii.*

An Act for more effectually draining and preserving certain Marsh Lands or Low Grounds in the Parishes of *Sandhurst, Newenden, Rolvenden, Tenterden, Wittersham, Ebony, Woodchurch, Appledore, and Stone*, in the County of *Kent*; and *Ticehurst, Salehurst, Bodiam, Ewhurst, Northiam, Beckly, Peasmarsh, Iden, and Playden*, in the County of *Sussex*. [26th May 1826.]

**W**HEREAS there are several Marsh Lands or Low Grounds in the several Parishes of *Sandhurst, Newenden, Rolvenden, Tenterden, Wittersham, Ebony, Woodchurch, Appledore, and Stone*, in the County of *Kent*; and *Ticehurst, Salehurst, Bodiam, Ewhurst, Northiam, Beckly, Peasmarsh, Iden, and Playden*, in the County of *Sussex*, lying on or near to and draining into the River *Rother* and Channel of *Appledore*, and great Part of which Lands and Grounds from their low and flat Situation are frequently overflowed, and will be greatly injured if the Waters have not a proper Passage into and along the said River *Rother* and Channel of *Appledore* to the Harbour of *Rye*, and thence to the Sea: And whereas certain Parts of the said Marsh Lands or Low Grounds, and which have been known by the Name or Appellation of the *Upper Levels*, have been for very many Years and now are main-

[*Local.*]

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tained and preserved under the Direction and Superintendence of certain Commissioners named and appointed in and by a Commission of Sewers: And whereas the Remainder of the said Marsh Lands or Low Grounds, and which are known by the Name of the *Wittersham Level*, were also heretofore under the Direction and Superintendence of certain Commissioners named and appointed in and by another Commission of Sewers, but the said Commission of Sewers heretofore granted for preserving the said Level of *Wittersham* hath not been for many Years renewed: And whereas in and previously to the Year One thousand six hundred and twenty-nine, the Channel of the River *Rother*, by means whereof the said Marsh Lands or Low Grounds called the *Upper Levels* were then drained, flowed by a circuitous Passage to the North of the Isle of *Oxney* into the Sea, and the said Channel was very inadequate for the effectual Drainage of the said Lands, by means whereof a great Part of the said *Upper Levels*, which consisted altogether of about Six thousand Acres of Land, was drowned and lost, and the Residue thereof were then decaying: And whereas at the Time aforesaid the said Marsh Lands or Low Grounds called *Wittersham Level*, which consisted of about Two thousand seven hundred Acres, was good Summer Land, and One Half thereof or thereabouts was good Feeding Land both in Summer and Winter: And whereas, in order to recover and preserve the said Lands called the *Upper Levels* from total Destruction, it was proposed to abandon the old Course or Channel of the River *Rother* to the North of the Isle of *Oxney*, and to make a new Course or Channel for the same through *Wittersham Level* to the South of the said Isle, which would be Five Miles in Ten nearer to the Sea than the old circuitous Course, and therefore give the said River a much greater Fall; and divers Proceedings were thereupon had before the Lord Keeper of the Great Seal, who made an Order for appointing Six Owners of Lands in the *Upper Levels*, who had no Lands in the Level of *Wittersham*, and Six Owners of Lands in the Level of *Wittersham*, who had no Lands in the *Upper Levels*, to consider some Means for the draining of the *Upper Levels* without Prejudice to the said Level of *Wittersham*, or if they should receive Prejudice, how the Owners of *Wittersham Level* might be secured out of the Lands of the *Upper Levels* for a continual Recompence for such Damage as might be thereby sustained: And whereas the said Committees at length came to certain Agreements, the Purport or Effect whereof was, that a certain Portion of the Low Grounds in *Wittersham Level* should be laid out for an Indraught for the better Drainage and Protection of the Lands in the *Upper Levels*, with Liberty for the Owners of the Lands so laid out to reclaim the same upon the Terms therein mentioned, and that a new Channel for the River *Rother* should be cut through the said Level of *Wittersham*, and that an adequate Annual Rent should be yearly paid by the Commissioners of Sewers for the *Upper Levels* to the Owners of such Land as should be taken for an Indraught, during the Time it should be so used, and also for the said Channel, together with Tithes, Lord's Rent, and other such like Taxes as are usually paid by such as take any Land to farm, and that if any Loss should be sustained by the Owners of High Lands in *Wittersham Level*, by the Insufficiency of the Walls thereof, or otherwise by the said new Channel, then such Damages, Hurts, and Losses should be paid by the Owners of Lands in the *Upper Levels*; and the said Agreements were afterwards ratified and confirmed by a Decree of the Court of Chancery, bearing Date the Twenty-sixth Day of *June* One thousand six hundred  
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and sixty-five : And whereas in pursuance of the said Agreements and Decree the said Indraught was made, and the said new Channel was cut, but the said Lands composing the said Indraught, with the Exception of a few Acres thereof, have been reclaimed by the Owners thereof, and the Commissioners of Sewers for the *Upper Levels* have paid the Rents for the said Indraught and for the said Channel, and the Tithes and other Burthens chargeable on the same, and have kept the Walls and other Works of the said Channel in the Level of *Wittersham* in sufficient Repair, and have from Time to Time indemnified the Owners of Lands in *Wittersham Level* for all Damage which they have sustained by the Overflowings of the Sea, or in consequence of the Deficiency of the Works for protecting the said Level ; and in consequence of such Protection and Indemnity the Commission of Sewers for the said Level of *Wittersham* has not been renewed for nearly a Century : And whereas a Suit is now pending in the High Court of Chancery between the Commissioners of the *Upper Levels* and the Commissioners of *Rye Harbour*, entitled *Curties* and others versus *Clark* and others, touching and concerning a certain Sluice called *Scot's Float Sluice*, on the River *Rother*, and also touching and concerning the Navigation of the said River, and the Injury done to the said Harbour of *Rye*, and as to other Matters and Things in the Pleadings in the said Cause mentioned : And whereas by an Order made in the said Cause, dated the Twenty-third Day of *July* One thousand eight hundred and nineteen, it was by Consent ordered that the Parties should proceed to a Trial of the following Issues ; (that is to say,) whether *Scot's Float Sluice*, in the Pleadings of the said Cause mentioned, as then erected and used, was a Public Nuisance ; and in case the Jury should find that the said Sluice, as then erected and used, was a Public Nuisance, then it was ordered that the Parties should proceed to a Trial at Law upon the following Issue, (that is to say,) whether *Scot's Float Sluice* was a Public Nuisance as erected and used in the Month of *April* One thousand eight hundred and twelve : And whereas by another Order made in the said Cause, and dated the Eighteenth Day of *February* One thousand eight hundred and twenty-two, it was ordered that the Parties should proceed to a Trial of the Issues directed by the Order made in the said Cause, dated the Twenty-third Day of *July* One thousand eight hundred and nineteen, at the Summer Assizes for the County of *Surrey* in the Year One thousand eight hundred and twenty-three, instead of the then next Assizes, as directed by the said first-mentioned Order : And whereas pursuant to these Orders the said Issue directed, (that is to say,) whether *Scot's Float Sluice*, as then erected and used, was a Public Nuisance, was tried at the Summer Assizes for the County of *Surrey* in the said Year One thousand eight hundred and twenty-three, when the Jury found the following Verdict, (that is to say,) the Jurors are of Opinion, that the Sluice (called *Scot's Float Sluice*) as at present erected and used is a Nuisance ; and the following Indorsement was made on the Postea, (that is to say,) but would not be a Nuisance if such Alterations were made as would permit a greater Flux and Reflux of the Water, and remove the Impediment to the Passage of Vessels occasioned by the present Position of the Transom Beams : And whereas by an Order made in the said Cause bearing Date the Fifteenth Day of *June* One thousand eight hundred and twenty-four, by the Right Honourable the Lord High Chancellor of *Great Britain*, his Lordship did declare that *Scot's Float Sluice*, upon the *Rother*, was in

in its present State a Nuisance, but that by Alterations and Improvements which would duly and sufficiently increase the Flux and Reflux of the Tide for the Purpose of Navigation, and sufficiently remove the Impediment thereto occasioned by the present Transom Beams, the said Sluice might be rendered such as ought not to be deemed a Nuisance; and it was ordered that it should be referred to Two Civil Engineers, One to be named by each Party, and such Two to name a Third before they act, such Two if they agreed, and such Third if they differed, to report what Alterations and Improvements would be proper and sufficient for the Purposes aforesaid, having regard to the State and Security of the adjoining Lands, and such Protection thereto as ought in their Judgment to be provided by and at the Charges of the Persons interested therein, or of any other and what Persons, and in such Report stating for his Lordship's Information and Judgment what Acts, if any, ought in such their or his Judgment to be done, at such Charges and for such Protection, if such Alterations and Improvements as aforesaid were made, and to report the Reason upon which their Judgment upon the whole Matters reported was founded, if required so to do: And whereas, in pursuance of the said last-mentioned Order, *William Chapman* and *Edward Janson* were appointed such Engineers as by the said Order required; and they by Writing dated the Third Day of *September* One thousand eight hundred and twenty-four nominated and appointed *William Chadwell Mylne* Engineer, as Umpire, to decide upon the several Matters in the said Orders mentioned: And whereas the said *William Chapman* and *Edward Janson* differed in Opinion as to the Measures necessary to be pursued, and the said *William Chadwell Mylne* accordingly proceeded in the said Enquiry and made his Report, bearing Date the Second Day of *March* One thousand eight hundred and twenty-six, stating the Works necessary to be done for carrying into Effect the Intentions of the Court of Chancery in relation to the Matters in question, and which Report hath in most respects been agreed to, and is intended to be adopted by the several Parties interested therein: And whereas, by an Order of the said Court of Chancery made in the said Cause, bearing Date the Twenty-second Day of *April* One thousand eight hundred and twenty-six, it was declared that it should be the Duty of the Sluice Keeper to be from Time to Time, by or under the Authority of the Plaintiffs and others the Commissioners of Sewers for the Time being of the *Upper Levels*, appointed to take charge of and manage the Sluice called *Scot's Float Sluice*, at the Period of Twenty Minutes after the Commencement of the Flux of every Tide to open so many of the Scuttles as shall be required to admit through them during the Remainder of the Flux sufficient Water to raise the Water in the River *Rother* to the Level of not less than Ten Feet on the Floor of the said Sluice; and for the better Preservation of the Navigation, that it should also be the Duty of the said Sluice Keeper, at all Tides, (except when the Full Scours are directed to be formed and let off, as is expressed in the next Clause thereafter mentioned,) to shut his Inland Gates when the Water should have so ebbed off that the Surface is within Six Feet of the Floor, for the Preservation of the Water in the River *Rother*; and also for the cleansing out of the River and Harbour below, that it should be his Duty Three Days at least in each Week, at those Periods when the Land Freshes in the River *Rother* do not exceed Ten Feet on the Floor of *Scot's Float Sluice*,

Recital of  
Order, of  
April 22.  
1826.

to close the Upper Gates at High Water, and to let it off during the last Quarter of the Ebb, or as much earlier as may be required to run off the whole of the Choak Water before the Flux of the ensuing Tide, by the Means of Gates thereafter described, for the Purpose of making an artificial Scour which would operate immediately on the Harbour; and it was ordered that the present Sluice should be put in perfect Repair; and in case the present Scuttles should at any Time thereafter prove insufficient for the Purpose of admitting the Water required, additional or new Scuttles should be formed by and at the Expence of the Plaintiffs and others; Commissioners of Sewers for the Time being as aforesaid; and that Four Pair of Sluicing Gates should be erected according to Drawings numbered 1, 2, and 3, annexed to the said Report of the said *William Chadwell Mylne*, and secured in a proper and workmanlike Manner, immediately above the Transom Beam which is on the Seaward Side of the Upper Gates of the said *Scot's Float Sluice*, and that such Gates should at all Times thereafter be used for the Purpose of creating a Scour to the Harbour and River below the said Sluice in Manner as before directed; and it was ordered that the said new Sluicing Gates should be made in the first Instance by and at the Expence of the Commissioners of *Rye Harbour*, and afterwards be kept in repair by and at the Expence of the Plaintiffs and others the Commissioners of Sewers as aforesaid; and that the Sea Gates of *Scot's Float Sluice* should be raised to a Height sufficient to exclude the Spring Tides from passing over the same, and the Banks raised on each Side to correspond; and that so much of the Transom Beams and Stage of *Scot's Float Sluice* as cross any Part of the navigable Lock, or are to Seaward of the same, and which interfere with the Passage of Craft into the said Lock, and the Bridge over the said Sluice and Lock, should be taken up and raised to the Height of Five Feet above the present Level, in such Manner that there should be a clear Headway of Five Feet in Height more than there then was, for the Purpose of giving a free and uninterrupted Navigation for laden Barges to pass at all Times through the aforesaid navigable Lock; and that all the remaining Transom Beams and Stage crossing the aforesaid navigable Lock, being partly across or over the Inland Gates thereof, should be raised Nine Inches, to correspond with and give the same clear Headway as was then obtained at the Wooden Bridge called *Boon's Hill Bridge*, over the *Rother*, and is more particularized in the Drawings marked 1, 2, and 3, annexed to the said Report, or in any other Way that should be thereafter substituted in lieu thereof, affording the same Accommodation to the Navigation of Five Feet clear Headway above High Watermark; and that all such Works should be done and executed by the said Plaintiffs and others the Commissioners of Sewers for the Time being as aforesaid, and maintained at their Expence; and that all the Side Sewing Gates, Drains, and Ditches, should be cleansed at their Mouths, and at all Times be preserved in a perfect and clean State, so as effectually to sew the Lands; and that all such of the Penstock Sluices and Gates, not exceeding in their Openings Four Feet Square, which were out of Repair, or which thereafter should become so, and were affixed to the Mouths of the said Sewing Gates, Drains, and Ditches, should be repaired by and at the Expence of the Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, and as they fall into Decay should be replaced on self-acting Construction, so that they will open of themselves whenever the Tide falls sufficiently

sufficiently low to drain the said Sewing Gates, Drains, and Ditches; and that the above Work should be done and kept in repair by the said Plaintiffs and others the Commissioners of Sewers for the Time being as aforesaid; and that the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should make new and restore, or cause to be restored and heightened, all the Walls of the River *Rother* on each Side along its Course from *Scot's Float Sluice* upwards to a Height sufficient to contain the Flux and Reflux of the Tide so to be admitted, to the Height of not less than Ten Feet on the Floor of *Scot's Float Sluice*; and that all new Walls should be made with proper Slopes; and that the *Wet Level* should be thus embanked, and that proper self-acting Sewing Gates should be placed, if required, for the Drainage of the said *Wet Level*, with communicating Drains into or under the navigable River; and when done, that the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should support, uphold, and maintain the same at their Expence, and in such Way as not in any Manner to choke up the said River *Rother*, or impede the Flux and Reflux of the Tide, or the Navigation thereof; and that all these Works should be done at the Expence of the Plaintiffs and others the Commissioners of Sewers for the Time being as aforesaid; and it was ordered that the River *Rother* above *Scot's Float Sluice* should be cleansed, and the several Shoals in the said River, which not only interrupted the Navigation but also prevented and injured the general Drainage of the Country, removed; such Shoals (many of which are formed of Moorlog) being situate as follows; One about Three Furlongs below *New Bridge*, another about Two Furlongs above *New Bridge*, another at *Corkwood*, another a little below the Junction of the Rivers; several along the *Wet Level*, others higher up called *Newenden Shoal*, several between that and *Newenden Bridge*, One above the Bridge, and another called *Merrick's Shoal*, and others below *Bodiham Bridge*; and that all such Shoals should be taken out, so that Barges navigating the *Rother* should not ground upon them; and that after all those Shoals were removed to an uniform Depth, then that the Bed of the River *Rother* should be deepened to such an Extent that when the Choke of Water was admitted above *Scot's Float Sluice* there should not be less than Three Feet Six Inches in Depth of Water over the shallowest Part of the River between *Scot's Float Sluice* and *Bodiham Bridge*; and that in deepening the Bed it should be formed as near as possible to one uniform Declivity, from *Bodiham Bridge* to the Sill of *Scot's Float Sluice*, so that Barges navigating down to *Rye* with the Reflux of the Tide would have the benefit of Deep Water the whole Distance; and that those Works should be done at the Expence of the Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, and maintained so by them; and that the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should at their Expence take down the present Bridge at *Blackwall*, and reconstruct the same; and that the present Bridge called *New Bridge*, over the River *Rother*, should also be taken down by them the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, or under their Directions and Authority; and that a new Bridge in lieu of such last-mentioned Bridge should be erected across the said River at the Expence of the said Plaintiffs, or others the Commissioners of Sewers for the Time being as aforesaid; and that such

Bridges respectively should be erected of sufficient Width of Waterway, and equal Height, sufficient to give the same clear Headway with the Bridge called *Boon's Hill Bridge*, and with Piers built parallel with the Stream, so as to allow a free Passage under and through each of the same Bridges respectively for the Flood Water, and for the Navigation at all Periods; and that such Bridges respectively should be erected under the concurrent Inspection and Direction of the said *William Chadwell Mylne*, or other the Surveyor to be named and appointed in his Stead as thereafter mentioned, and the Surveyors for the Time being of the Counties of *Kent* and *Sussex*, or the Surveyor for the Time being of such One of the said Counties within which the said Bridges or either of them were or was respectively situate; and that the Order for taking down and reconstructing such Bridges respectively should be without Prejudice to the Right which the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should have in the mean time to require the Counties of *Kent* and *Sussex*, or either of them, to pull down and reconstruct the same; and it was declared that all the foregoing Works, except the taking down of *New Bridge*, and erecting a Bridge in lieu thereof, should be made, done, and perfected within the Space of Four Years, according to and in the following Order; that is to say, the Repairs and Alterations of *Scot's Float Sluice*, and the Removal of the Shoals before particularly mentioned, within Two Years from the Date of the said Report; the Repairs and Alterations of the new Sea Walls, and the Repair of the Sewing Gates, within Three Years from the Date of the said Report; and that the Reconstruction of the Bridge at *Blackwall*, the deepening of the Channel and Embankment of the *Wet Level*, and Removal of every Impediment to the Navigation, and all remaining Works (except *New Bridge* as aforesaid), should be done and executed by the Termination of the Fourth Year; and that the said Bridge called *New Bridge* should be taken down, and the said new or other Bridge erected in lieu thereof, within Five Years from the Date of the said Report; and that all the foregoing Works, except as thereinbefore directed, in relation to the taking down and Reconstruction of the before-mentioned Bridges, should be made and done by the Direction and to the Satisfaction of the said *William Chadwell Mylne*, or in case of his Death, or declining or ceasing to act, then to the Satisfaction of any other Surveyor or Surveyors to be from Time to Time named and appointed by the said Court upon the Petition of all or any of the Parties, Plaintiffs or Defendants in the Suit, in case the said Parties should differ in such Nomination; and that the said *William Chadwell Mylne*, or such other Surveyor or Surveyors as aforesaid, should determine at what Time the Tidal Waters should be admitted into the *Rother*, to the Height and under the Regulations before mentioned; and that the Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should pay to Mr. *Richard Whitton*, the Solicitor of the said Defendants, the Amount of the Costs ascertained to be due to him on the Seventeenth Day of *August* last, and also the subsequent Costs of the said Defendants of that Suit; such subsequent Costs to be ascertained as between Solicitor and Client by One of the Masters of that Court in case the Parties should differ about the same; and in case of such Differences, that it should be referred to the Master in Rotation to tax such subsequent Costs of the said Defendants as between Solicitor and Client; and that the Plaintiffs, and others the Commissioners

Commissioners of Sewers for the Time being as aforesaid, should pay to the said *Richard Whitton* what the Master should allow for such subsequent Costs; and it was ordered, that the said Plaintiffs, and others the Commissioners of Sewers for the Time being as aforesaid, should pay the Costs, Charges, and Expences of the Surveyors named in the said Order of the Fifteenth Day of *June* One thousand eight hundred and twenty-four, and of the said *William Chadwell Mylne*, of the Surveys and Estimates made by them respectively, and of the said Report of the said *William Chadwell Mylne*; and to the said *William Chadwell Mylne* his Costs and Charges for superintending the several Works hereinbefore directed: And whereas, in pursuance of the said Verdict and the last-recited Decree, an increased Quantity of the Tidal Waters will be admitted into the River *Rother*, and expensive Works will be done in the said Levels; it is therefore alleged by the Owners of Lands in the said *Upper Levels*, that it is no longer just and equitable that the Owners of Lands in the Level of *Wittersham* should be protected and indemnified by the *Upper Levels* as heretofore: And whereas the Owners of Lands in the said Level of *Wittersham* on the contrary allege, that the Indemnity and Protection granted to and enjoyed by them under the said first-mentioned Agreement and Decree are not in any Manner affected or prejudiced by the said Verdict, or the said last-mentioned Decree, but that such Protection and Indemnity shall still remain in full Force: And whereas, in order to prevent the Necessity of having Recourse to legal Proceedings to define their respective Rights, it has been agreed that both the said Levels shall in future be under the Direction and Superintendence of One and the same Set of Commissioners, upon the following Terms; that is to say, that each and every Acre of the Marsh Lands and Low Grounds being within the Limits of *Wittersham Level* shall be assessed, rated, scotted, charged, and liable to One Fourth only of the Amount which shall be assessed, rated, scotted, or charged on each and every Acre of the said Marsh Lands and Low Grounds lying within the Limits of the said *Upper Levels*, and so in Proportion for every greater or less Quantity than an Acre, on the Understanding and Belief that the said Proportion or Rate of scotting is not to be varied or altered in future; and that the said Lands in *Wittersham* are not in any Event to contribute towards the Payment of the Costs already incurred or to be incurred in the said Suit of *Curties* versus *Clarke* and others, or of any Debt already contracted by the Commissioners of Sewers of the *Upper Levels*, on any Account whatsoever, or to pay more than the Sum of One thousand Pounds towards the Expences of the Works ordered and directed to be done by the hereinbefore recited Decree made in the said Suit, or the Charges and Expences incurred in and about the Application for and obtaining this Act, as well by the Owners of Lands in *Wittersham Level*, as the Owners of Lands in the *Upper Levels*: And whereas it is deemed expedient and advisable that the said Commission of Sewers now in existence should be superseded, and that in future all the Marsh Lands and Low Grounds lying within the said *Upper Levels* and in *Wittersham Level* should be under the Direction and Superintendence of One and the same Set of Commissioners, and that the Expences of making and maintaining the Works necessary for draining and preserving the Lands in both the said Levels should in future be borne and paid by the said Lands lying in both such Levels, in the Proportions hereinafter mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted



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 from and immediately after the passing of this Act the Lords or Ladies for the Time being of the several and respective Manors within the Limits hereinafter described by this Act, (in respect of their said several and respective Manors,) or in their Absence the several and respective Stewards or Agents of the said Lords or Ladies of Manors respectively, to be severally appointed by Writing under the Hands of the Lords or Ladies of Manors respectively, an Agent appointed by the Dean and Chapter of the Cathedral and Metropolitan Church of *Christ, Canterbury*, an Agent appointed by the Master and Fellows of *Trinity College*, in the University of *Cambridge*, under their respective Common Seals, and every Person who for the Time being shall be *bonâ fide* seised in his own Right, or in Right of his Wife, or possessed of any Term or Terms of Years determinable on any Life or Lives, either in his own Right or in Right of his Wife, of Forty Acres of Land in the *Upper Levels*, or of Twenty Acres of Land in the Level of *Wittersham*, or of Forty Acres of Land in both the said Levels, actually taxed by virtue of this Act, shall be Commissioners for putting this Act in Execution.

Appoint-  
ment and  
Qualification  
of Commis-  
sioners.

II. And be it further enacted, That every Person who shall be *bonâ fide* seised or possessed as aforesaid of One hundred Acres of Land in the said *Upper Levels*, or of Fifty Acres of Land in the said Level of *Wittersham*, and actually taxed by virtue of this Act, may and is hereby authorised to appoint, by Writing under his or her Hand, an Agent, to be a Commissioner for executing this Act; and that every Person so appointed shall during the Pleasure of the Owner appointing, and the Time that such Owner shall be so seised or possessed as aforesaid, likewise be and he is hereby appointed a Commissioner for the Purposes aforesaid, but to act only in the Absence of the Owner by whom such Agent shall be so appointed.

Owners of  
One hundred  
Acres to  
appoint a  
Deputy to  
act in their  
Absence.

III. And be it further enacted, That no Person appointed as Agent as aforesaid shall be capable of acting as a Commissioner in the Execution of this Act until he shall have delivered in his Appointment in Writing under the Hand of the Person appointing him, at some Meeting of the said Commissioners; and that every such Appointment shall be filed among the Proceedings of the Meeting at which the same shall be delivered, and a Minute thereof shall be entered by the Clerk attending such Meeting in the Book containing the Proceedings of the said Commissioners under this Act.

No Person to  
act as a De-  
puty Com-  
missioner  
until his  
Appoint-  
ment shall be  
delivered in.

IV. And be it further enacted, That no Person holding any Place of Profit, or concerned or interested in any Contract under the said Commissioners, shall act or be qualified to act as a Commissioner, or to appoint a Deputy under this Act.

No Person  
holding a  
Place of  
Profit, &c.

V. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (excepting in administering the Oath or Affirmation hereinafter directed) until he shall have taken and subscribed the Oath or Affirmation following:

Commission-  
ers to take  
an Oath.

[Local.]

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I. A. B.

‘ I *A. B.* do swear, [*or being one of the People called Quakers*, do solemnly  
 ‘ affirm,] That I will faithfully, impartially, and honestly, according to  
 ‘ the best of my Skill and Ability, execute and perform the several Trusts,  
 ‘ Powers, and Authorities vested and reposed in me as a Commissioner  
 ‘ by virtue of an Act passed in the Seventh Year of the Reign of King  
 ‘ *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*],  
 ‘ according to Equity and good Conscience, and without Favour or  
 ‘ Affection, Prejudice against or Partiality to any Person or Persons  
 ‘ whomsoever. So help me GOD.’

Penalty on  
 acting or  
 appointing  
 a Deputy  
 without  
 being qua-  
 lified.

VI. Provided always, and be it further enacted, That if any Person, not being qualified as hereinbefore is prescribed, shall act or appoint an Agent to act as a Commisioner in the Execution of this Act, every Person offending in either of the Cases aforesaid shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered with full Costs of Suit by any Person or Persons who shall inform or sue for the same in any of His Majesty’s Courts of Record at *Westminster*, by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and in any such Action or Suit it shall be only necessary for the Plaintiff or Informer to prove that the Defendant acted as Commissioner in the Execution of this Act, or appointed an Agent to act, and a Verdict shall be found against such Defendant, unless he shall prove in his Defence that he was at the Time of his so acting or appointing a Deputy properly qualified to act or to appoint a Deputy, according to the true Intent and Meaning of this Act.

Meetings of  
 Commis-  
 sioners.

VII. And be it further enacted, That the First Meeting of the said Commissioners shall be holden at the Public House or Inn called *The Woolpack* in *Tenterden* aforesaid; or some other convenient Place, on the *Wednesday* next after *Trinity Sunday* next after the passing of this Act, or as soon after as conveniently may be; and that One General Meeting of the said Commissioners shall be holden in every Year, on the *Wednesday* next after *Trinity Sunday*, in some or One of the Parishes in which the said Lands lie, or Parishes next adjacent thereto; and it shall be lawful for the said Commissioners to hold all such of the Meetings at such other Time or Times as any Five or more of the said Commissioners shall think necessary, and shall by Notice in Writing under their Hands appoint; and the said Commissioners may from Time to Time adjourn any Meeting or Meetings to be holden by virtue of this Act, to such Place or Places and as often as they or any Five of them may think proper; and if Five Commissioners shall not be present at the Time and Place appointed for holding any such Meeting, then and in every such Case any One Commissioner present, or the Clerk to the said Commissioners, shall and may adjourn the same to any Time not exceeding Twenty-one Days from the Time when the last Meeting was appointed to be holden, and to the Place last appointed; and that Public Notice shall be given (in Manner hereinafter directed) of every Meeting holden under the Authority of this Act (except Meetings by Adjournment from Day to Day), Fourteen Days previously to such Meeting; and no Act of the said Commissioners shall be valid unless done at some Meeting or adjourned Meeting holden under the Authority of this Act, (except signing any  
Notice

Adjourn-  
 ment.

No Act of  
 Commis-  
 sioners valid

Notice for calling any Meeting, or signing any Warrant of Distress,) and all Powers and Authorities granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at any Meeting, provided that not less than Five Commissioners shall be present at any such Meeting (except when any greater Number is named for any particular Purpose), and that all Acts, Orders, or Proceedings had, made, or done by or before such Five Commissioners shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes, as fully and effectually as if the same were had, made, done, or executed by or before all the said Commissioners.

unless done  
at some  
Meeting.

VIII. And be it further enacted, That the said Commissioners, or any Five or more of them, at their First Meeting next after the passing of this Act, and afterwards annually at their General Annual Meeting (or in case such Annual Meeting shall not be held, then at any adjourned Meeting to be holden by virtue of this Act,) shall elect a Chairman to preside at such Meetings, who shall continue in such Office for the Space of One Year, and until a Successor shall be appointed in pursuance of this Act, and shall not afterwards be disqualified from being re-elected; and in case it shall happen that the Chairman shall be absent at any Meeting of the Commissioners, it shall be lawful for the Commissioners present at such Meeting, provided they amount to the Number of Five, to elect and appoint from among themselves then present a Chairman for the Day, who shall have the same Powers and Authorities as the actual Chairman would have had if present; and in all Cases where the Numbers upon any Division shall be equal, the Chairman for the Time being, or the Person supplying his Place as aforesaid, shall besides his own Vote have the casting Vote.

For electing  
a Chairman.

And in case  
of his Ab-  
sence, Com-  
missioners  
present to  
elect a  
Chairman for  
the Day.  
Casting Vote.

IX. And be it further enacted, That no Order which may be made by the said Commissioners by virtue hereof shall be rescinded except at a regular Meeting, or at some Meeting specially appointed for rescinding the same, nor unless Notice of the Intention to repeal the same shall be previously given by Five Commissioners at a General Meeting, to be entered in the Book containing the Proceedings of such Meeting, and signed by Five such Commissioners, nor unless the Notice of moving to rescind such Order shall be advertised at least Fourteen Days before the Time of holding the next Meeting at which the Proposal shall be made for that Purpose, which Advertisement the Clerk of the said Commissioners is hereby required to cause to be inserted accordingly.

Orders not  
to be rescind-  
ed but at  
Meetings,  
nor without  
Notice of the  
Intention to  
repeal the  
same.

X. And be it further enacted, That all Notices of Meetings of the said Commissioners, and all other Notices hereby required to be given, shall be given by inserting the same Twice in One of the Papers printed in the County of *Kent*, and One of the Papers printed in the County of *Sussex*, and which are most usually circulated in those Parts of the Counties of *Kent* and *Sussex* in which the Lands within the Limits of this Act are situate, or in some other Country Newspaper usually circulated in the Counties of *Kent* and *Sussex*.

Notices of  
Meetings,  
and all other  
Notices, how  
to be given.

XI. And be it further enacted, That no greater or larger Sum of Money than Five Pounds in the whole shall be paid or allowed for the Expences of Meetings of

Expences of  
Meetings.

of

of the Commissioners at any General Meetings to be holden under or by virtue of this Act, nor more than Two Pounds for the Expences of the Commissioners at any adjourned or Special Meeting.

Entries of Proceedings shall be good Evidence.

XII. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose of all the Acts, Orders, Rules, Regulations, Directions, and Proceedings of the said Commissioners relative to the Execution of this Act, and of the Names of the Commissioners who shall be present at their respective Meetings, and the same shall be signed by the Chairman and at least Four more of the Commissioners at such Meeting; and all such Entries being so signed shall be deemed Originals, and shall be deemed good Evidence in all Cases touching any Thing done in pursuance of this Act, and shall be allowed to be read in Evidence in all Courts whatsoever, or otherwise, as Occasion shall require; and at any of the Meetings of the said Commissioners, and at all other convenient and seasonable Times to be directed by the said Commissioners, such Book or Books shall be open to the Inspection of all and every the said Commissioners, and all and every other Person and Persons who shall be rated and assessed for the Purposes of this Act.

Commissioners to appoint Officers.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time, at the First or any other of their Meetings to be held in pursuance of this Act, to elect and appoint a Treasurer or Treasurers, or Clerk or Clerks, an Expenditor or Expenditors, Collector or Collectors, a Receiver or Receivers of the Assessments and Monies to be collected and received by virtue of this Act, and also a Surveyor or Surveyors, and other Officers and Persons for the Execution of this Act, either annually or in any other Manner as the said Commissioners shall think proper; and shall also from Time to Time nominate and appoint One or more proper Person or Persons to superintend the said Sluice at *Scot's Float*, and the other Works hereby authorised to be made and done, and hereby vested in the said Commissioners, and whose Duty it shall be to afford every Facility in his or their Power to the Navigation and Use of the said River at all Times; and from Time to Time to remove and displace all or any of such Officers as they shall see Occasion, and to elect and appoint others in the Room or Place of such of them as shall be so removed, or shall die, or shall resign their Offices; but so that Notice shall be given of every Election and Appointment in some Newspaper circulated in each of the said Counties, at least Ten Days before the Election and Appointment of every Treasurer, Clerk, Expenditor, Collector, and Receiver as aforesaid, except Expenditors of Petty Levels hereinafter mentioned; and that it shall and may be lawful for the said Commissioners, at any of their Meetings to be held in pursuance of this Act, from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages and Salaries, and make such Allowances to the said Officers, and to all such other Persons to be employed in or about the Execution of this Act, as they the said Commissioners shall think reasonable and proper; and they shall require and take such Security from every such Treasurer, Collector, Expenditor, and other Officer so to be appointed, for the Execution of their respective Offices, as they the said Commissioners may think proper.

XIV. And

XIV. And be it further enacted, That all such Officers so to be appointed shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same; then and in every such Case, upon Complaint made by the said Commissioners or any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place where such Officer or Person shall have last resided or shall then reside, such Justice may and he is hereby authorised and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath or Affirmation (which Oath or Affirmation such Justice is empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may, and he is hereby authorised and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer and Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same; or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Town Corporate, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall compound with the Com-

Officers to  
account.

missioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, which Composition the said Commissioners are hereby empowered to make and receive, and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners; provided that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Term than Six Calendar Months; provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Person, Officers or Persons, and his and their Surety and Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Treasurer  
and Clerk  
not to be the  
same Person.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who has been or may be appointed their Clerk in the Execution of this Act, or the Partner or Partners of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner or Partners, the Treasurer for the Purposes of this Act, or to appoint any Person who has been or may be appointed Treasurer, or the Partner or Partners of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk, or the Clerk or other Person or Persons in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Penalty on  
Officers  
taking Fees,  
or being  
concerned in  
Contracts.

XVI. And be it further enacted, That if any Clerk, Treasurer, Surveyor, or Collector, or other Officer employed by the said Commissioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever, (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners,) for and on account of any Thing done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act, every such Person so offending shall be incapable of afterwards serving or being employed under the said Commissioners, and shall forfeit and pay the Sum of Twenty Pounds for every such Offence to any Person or Persons who shall

shall sue for the same, together with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit; in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time and at all Times to order and direct a Book or Books to be provided and kept by their Clerk for the Time being; in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Person assessed by this Act, or any Creditor or Creditors on the Rates or Assessments granted by this Act, without Fee or Reward; and the said Commissioners or Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner hereinafter directed.

Accounts to be kept of Receipts and Disbursements.

XVIII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of any One of the said Commissioners or their Clerk for the Time being; and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of any One of the said Commissioners, or the said Clerk; and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of any One of the said Commissioners or of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Commissioner or Clerk, or by any Act or Default of such Commissioners or Clerk done or suffered without the Consent or Direction of the said Commissioners; but One of the said Commissioners, or the Clerk to the said Commissioners for the Time being, shall be always deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendants, as the Case may be: Provided always, that every such Commissioner or Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Commissioner or Clerk shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein;

Commissioners may sue and be sued in Name of their Clerk.

therein ; and no such Commissioner or Clerk shall be personally answerable or liable for the Payment of the same, or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners, or any Five or more of them.

Taxes when  
and how to  
be laid and  
payable.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to assess, rate, tax, and charge all the Marsh Lands and Low Grounds lying within the Limits of the said *Upper Levels*, extending from a certain Place called *Udiham Oak*, otherwise *Odiarn Oak*, in the said Parish of *Ewhurst*, unto and as far as a Place called *Knock*, in the Parish of *Stone*, in the Isle of *Oxney*, in the County of *Kent*, and all the Lands called *Beckett Salts*, lying between a certain Way or Wall called *Beckett Wall* and the Channel there called *Knock Channel*, and all other Lands between the said Wall and Channel extending from *Appledore Windmill Hill* and unto as far as a Wall or Shut called *Nicholas Last Shut*; and also the Lands lying on the other Side of the said Channel called *Knock Channel*, without an ancient Wall there called *Wittersham Wall*, unto as far as a Place called *Craven*; and also all other Marsh Lands and Low Grounds, if any, now or heretofore scotted or taxed by the said Commissioners of the said *Upper Levels*; and also all the Marsh Lands and Low Grounds lying within the Limits of *Wittersham Level*, extending from a certain Wall called *Knell's Dam*, or the *Old Bush Wall*, and thence by a certain High Road or Way leading from *Robvenden* to *Wittersham*, to a certain other Place called *Potman's Heath Bridge*, and the Uplands near thereto on the North to the before-mentioned Places called *Knock* and *Craven*, and the ancient Wall extending from *Craven* to a Place called *Scot's Float* on the South and South-east Sides of the said Level; and also all other Marsh Lands and Low Grounds whatsoever sewing into the said River *Rother* or Channel of *Appledore*, other than and except all such Marsh Lands or Low Grounds, whether Salt Marsh or Fresh Marsh, as lie on the South or South-east Side of the said ancient Wall extending from *Craven* to *Scot's Float*, and all other Salt Marsh or Fresh Marsh Lands lying to Seaward of *Scot's Float Sluice* aforesaid, with such Sum or Sums of Money *per Acre* as the said Commissioners shall think proper, but in the following Proportions; (that is to say,) each and every Acre of the said last-mentioned Marsh Lands and Low Grounds lying within the Limits of *Wittersham Level* shall be assessed, rated, charged, scotted, and liable to One Fourth the Amount only that shall be assessed, rated, scotted, or charged on each and every Acre of the Marsh Lands and Low Grounds lying within the Limits of the said *Upper Levels*, and so in Proportion for every greater or less Quantity than an Acre; and all the Rates, Scots, and Taxes hereby directed or authorised to be raised shall be paid to the Receiver or Receivers, Collector or Collectors, or Expenditor or Expenditors for the Time being to be appointed by the said Commissioners from Time to Time, and at such Place or Places, and in such Proportions and Manner as they the said Commissioners shall direct and appoint for that Purpose; and that public Notice of the Times and Places appointed for the Payment of the said Rates and Taxes shall be given by advertising the same Twice in Two of the Newspapers most usually circulated in those Parts of the Counties of *Kent* and *Sussex* in which the said Lands are situate; and in case of Nonpayment of the said



Rates or Taxes within One Calendar Month after the Time appointed by the said Commissioners for Payment thereof, every Person neglecting to pay the same shall forfeit and pay the Sum of Three Shillings and Fourpence for every Twenty Shillings due for such Rates or Taxes and not paid as aforesaid, and so in Proportion for any greater or less Sum than Twenty Shillings, to be recovered in the same Manner as the said Rates and Taxes are hereby authorised to be recovered.

Penalty on Nonpayment of Taxes.

XX. Provided always, and be it further enacted, That notwithstanding the Provision hereinbefore contained, no further or greater Sum than One thousand Pounds shall be charged, levied, or raised upon or from the said Marsh Lands or Low Grounds within the Limits of *Wittersham Level* for and towards the Expences of the Works directed to be made and done by the hereinbefore recited Order of the Court of Chancery, or the Expences of this Act; but that if, according to the Proportion of rating and scotting hereinbefore enacted, the Sum to be paid by the Owners of Marsh Lands or Low Grounds within the Limits of *Wittersham Level* towards the said Expences would exceed the Sum of One thousand Pounds, then such Excess shall be borne and paid wholly and exclusively by the Owners of Marsh Lands or Low Grounds lying within the *Upper Levels*: Provided also, that the Costs and Expences already contracted and incurred, or to be contracted and incurred, in the said Suit of *Curties* and others versus *Clarke* and others, and all other Debts now due or owing from or by the Commissioners of Sewers for the *Upper Levels*, shall be borne and paid exclusively by the Owners of Marsh Lands or Low Grounds within the Limits of the said *Upper Levels*.

Wittersham Level not to contribute more than 1000*l.* towards Works ordered, and Expences of Act;

nor to pay any Part of Debts or Costs owing by Commissioners of Upper Levels.

XXI. And be it enacted, That if at any Time or Times hereafter it shall be deemed necessary to make any Bank, Wall, Cut, Drain, Sluice, Gut, or other Work or Works, above the Place called *Udiham Oak*, or to scour, cleanse, deepen, widen, or alter the said River *Rother* above the said Place, for the better sewing and draining of the Marsh Lands or Low Grounds draining into the River *Rother*, and lying above the said Place called *Udiham Oak*, it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and empowered, to order and direct such Works or any of them to be done or made, and to levy and raise the Expence thereof by a separate Scot Rate Tax on the Marsh Lands or Low Grounds deriving Benefit from such Work or Works, in such Proportion and Proportions as to them the said Commissioners shall seem just, and also to levy and raise by the same Ways and Means any Expences attendant upon levying and raising the said separate Rates, Taxes, or Scots, together with a reasonable Sum towards the Expences of the Clerks, Expenditors, Collectors, Treasurers, and other Officers, consequent upon the said Works so done above the said Place called *Udiham Oak*, or otherwise relating thereto: Provided always, that nothing in this Act contained shall be construed to authorise or empower the said Commissioners to rate, tax, or scot the said Marsh Lands or Low Grounds lying above the said Place called *Udiham Oak*, and which have not heretofore been rated, taxed, or scotted by the Commissioners of the *Upper Levels*, to any other Rate, Tax, or Scot whatsoever, under or by virtue of this Act, than the said separate Rate, Tax, or Scot last above mentioned, and for the Purposes last above mentioned only; the said separate

Commissioners not to tax Lands above *Udiham Oak*, unless for Works done there.

[Local.]

42 G

Rates,

Rates, Taxes, or Scots to be recoverable as all other Rates, Taxes, or Scots are herein authorised to be recovered.

Private Levels.

XXII. And whereas the Lands lying within the Limits of the said Levels called the *Upper Levels* have for very many Years been subdivided into various petty or private Levels, for the better draining such Lands, which petty or private Levels are known by the several Names of *Point, Ethnam, Mencham, Dixter, Hexden, Herrenden, Knell, Lossenham, West Maytham, East Maytham, Peening, Farnhill, Dunbourne, Kenchill, Ebony, Shirley Moor, Newenden, and Knock*: And whereas it has been usual and customary to appoint an Expenditor of each such private Level, who under the Direction of the general Body of Commissioners has the Superintendence and Management of the Petty Sewers or Streams, and Sewing Guts or Drains lying within each such Level, and which empty themselves into the said River *Rother* or Channel of *Appledore*, and the general Body of Commissioners have charged and taxed the Lands lying in such Levels with separate Scots or Taxes for maintaining the Works in each respective Level, over and above the Scot or Tax charged on all the Lands lying within the said *Upper Levels* generally, for maintaining the Works on the said River *Rother* and Channel of *Appledore*, which separate Scots or Taxes have heretofore been paid to the Expenditors of the Levels on which the same were charged; and such Custom and Mode of doing the Works of the said Levels has been found highly useful and beneficial, and ought to be continued: And whereas it is deemed expedient that the same Course should in future be adopted with respect to the Lands lying within the said Level of *Wittersham*; be it therefore further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and empowered, if they shall think proper, but not otherwise, to divide the Lands lying within the said Level of *Wittersham*, or any Part or Parts thereof only, into separate and distinct Levels, in the same Manner as is now in Use in the said *Upper Levels*, and to apportion such Lands to each such Petty Level as they in their Opinion shall think most conducive and advantageous to the draining the said Lands.

Power to divide Wittersham Level into private Levels.

Power to appoint private Expenditor and other Officers to the Petty Levels.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and empowered, at their First or any subsequent Meeting, to appoint a private Expenditor and such other Officers as they may think necessary to each of the said before-mentioned Petty Levels lying within the said *Upper Levels*, and to each of the separate or Petty Levels lying within the said Level of *Wittersham* when the same shall be divided, and shall and may allow such Person or Persons such Salary or Salaries or other Remuneration for his or their Trouble, out of the Monies to be raised by the private Scot or Tax to be charged on the Lands lying within the separate Level to which he or they shall be appointed an Expenditor or other Officer by virtue of this Act, as they the said Commissioners shall think proper, and from Time to Time to remove them or any of them as they the said Commissioners shall see Occasion, and in like Manner to appoint others in their Stead.

Commissioners may act as Ex-

XXIV. Provided always, and it is hereby further enacted, That notwithstanding any thing in this Act contained to the contrary, it shall and may be

be lawful to and for the said Commissioners to nominate and appoint any Person or Persons to be the Expenditor or Expenditors of any of the said separate or Petty Levels, notwithstanding such Person shall be qualified to act and shall act as a Commissioner for putting this Act into Execution: Provided nevertheless, that the Expenditor so appointed, if acting as a Commissioner in the Execution of this Act, shall not be allowed or paid any Salary or other Remuneration whatever for his Trouble as such Expenditor.

penditors of  
private  
Levels.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners or any Five of them from Time to Time to assess, rate, tax, charge, and scot the Lands lying in each of the separate and distinct Levels as now divided and to be divided as before mentioned with such an equal and proportionate Tax *per* Acre over and above the Tax or Scot hereinbefore authorised to be assessed and charged, as to them the said Commissioners shall seem meet for doing and performing the necessary Works lying within the Limits of each such separate Level, and paying the Officer or Officers thereof his or their Salary or Salaries; and the Rates, Taxes, or Scots lastly hereby directed or authorised to be raised shall be paid to the Expenditor or Expenditors of each such separate Level for the Time being to be appointed by the said Commissioners as aforesaid, at such Time or Times, and at such Place or Places, and in such Proportions and Manner as the said Commissioners or any Five of them shall direct and appoint for that Purpose; and in case of Nonpayment of such last-mentioned Rates or Taxes within One Calendar Month after the Time appointed for the Payment thereof, every Person neglecting to pay the same shall forfeit and pay the same Penalty as is hereinbefore directed in case of Nonpayment of the Rates and Taxes hereinbefore authorised to be levied and raised; and the Rates, Taxes, Scots, and Penalties hereby lastly authorised to be levied and raised shall be recoverable in the same Manner as the Rates, Taxes, Scots, and Penalties are hereinafter authorised to be recovered.

Power to  
levy private  
Scots.

XXVI. And be it further enacted, That if any Person or Persons shall refuse, or omit, or neglect to pay all or any Part of the Rates or Taxes to which he, she, or they is and are hereby made liable, for the Space of Two Calendar Months next after the Days or Times hereinbefore limited and appointed for the Payment of the same respectively, or shall refuse, or omit, or neglect to pay all or any Part of the Penalty or Penalties which shall become due by reason of the Nonpayment thereof; then and in every such Case it shall be lawful for the Treasurer, Collector, Expenditor, or Receiver of the said Commissioners, or any other Person or Persons empowered or appointed by them, by virtue of any Warrant or Precept under the Hands and Seals of any Five or more of the said Commissioners (which Warrant or Precept any Five or more of such Commissioners are hereby authorised and required from Time to Time to grant and make as Occasion shall require, and whether assembled at a Meeting or not,) to enter into and upon all or any Part of the Lands hereby directed or authorised to be taxed and charged as aforesaid, for which such Rates, Taxes, and Penalties shall be due and owing or payable, and to levy the Sum or Sums of Money due and payable for such Rates, Taxes, and Penalties, by Distress of any Goods,

Power of  
Distress on  
Nonpay-  
ment of  
Taxes.

Goods, Chattels, or Effects which shall or may be found thereon; and where no sufficient Distress can be found upon such Lands whereon to levy the Rates, Taxes, and Penalties which shall be then in Arrear in respect thereof by virtue of this Act, it shall be lawful for the Treasurer, Collector, Expenditor, or Receiver of the said Commissioners, or any other Person or Persons authorised or empowered by them, by virtue of any Warrant or Precept under the Hands and Seals of any Five or more of the said Commissioners, (which said Warrant or Precept such Commissioners or any Five or more of them are hereby empowered and required from Time to Time to make as Occasion shall require, and whether assembled at a Meeting or not,) to levy all and every the said Rate or Rates, Tax or Taxes, and Penalty or Penalties, which shall be then in Arrear, by Distress of any Goods or Chattels of the Person or Persons so occupying any Lands chargeable with any such Tax or Taxes, whensoever and wheresoever such Goods and Chattels shall be found; and it shall be lawful for the Person or Persons distraining any Goods, Chattels, and Effects, for any such Rates, Taxes, and Penalties, to impound and keep the same on the Premises where any such Distress can be made, or to take, lead, drive, carry away, and impound the same elsewhere, for the Space of Five Days, including the Day on which such Goods, Chattels, or Effects shall be taken, at the Costs and Charges of the Person or Persons liable to pay such Rates, Taxes, and Penalties, delivering to the Occupier or Occupiers of such Lands, or leaving at his, her, or their last or usual Place of Abode or Residence, Notice in Writing of such Distress being made, and of the Cause thereof, and of the Place or Places where such Distress is intended to be, or shall be led, driven, taken away, impounded and kept; and in case the Sum or Sums of Money for which the Distress or Distresses shall be made, and all Costs, Charges, and Expences attending such Distress, shall not be paid and discharged to the Treasurer, Collector, Expenditor, or Receiver of the said Commissioners, or to the Person or Persons making such Distress, within the said Five Days after the making of such Distress, the Person or Persons so making such Distress shall or may, with the Constable of the Parish or Hundred where such Distress shall be made, which said Constable is hereby directed upon being thereunto required to assist therein, cause the Goods, Chattels, and Effects so distrained to be appraised by Two indifferent Persons upon Oath (which Oath the said Constable is hereby required and empowered to administer), and such Two Persons are hereby required to appraise the same according to the best of their Judgment; and after Appraisement it shall be lawful for the Person or Persons making such Distress to sell or cause to be sold the Goods, Chattels, and Effects so distrained, for the best Price that can be reasonably had or gotten for the same, for and towards Satisfaction of the Monies for which such Distress and Sale shall be so made, and the Costs, Charges, and Expences of taking, keeping, appraising, and selling the same, rendering the Overplus of the Monies arising from any such Sale (if any), on Demand, to the Person or Persons entitled thereto.

Lands unoccupied to remain a Security for Tax.

XXVII. Provided always, and be it further enacted, That in case any of the said Marsh Lands or Low Grounds liable to be taxed by virtue of this Act shall at any Time or Times hereafter be untenanted or unoccupied,

cupied, so that no sufficient Distress can be found for levying the said Rates, Taxes, and Penalties, then the Lands and Grounds chargeable therewith shall always remain a Security for Payment thereof; and all Goods and Chattels which shall at any Time thereafter be found thereon shall and may be distrained, removed, impounded, kept, appraised, and sold in Manner aforesaid, until all Arrears of the said Rates, Taxes, and Penalties, and the Charges of such Distress, shall be fully paid and satisfied.

XXVIII. And whereas it may sometimes happen that some of the said Marsh Lands or Low Grounds may be untenanted or unoccupied for a considerable Time, and that no Distress can be found thereon for levying the said Rates or Taxes, and Penalties due in respect of the same; therefore, for enforcing the Payment thereof in all such Cases, be it further enacted, That where any of the said Rates or Taxes and Penalties shall be in Arrear and unpaid by the Space of One Year, and no sufficient Distress can be found upon the Lands and Grounds charged therewith; then and in every such Case the said Commissioners, or any Five or more of them, shall at any of their Meetings have full Power and Authority to let the Whole, or so much of the said Lands or Grounds upon which any such Rate or Tax and Penalty shall be so in Arrear, as they shall judge sufficient, for such Term or Terms of Years, not exceeding Three Years, at each Letting, at such Rent or Rents and upon such Terms and Conditions as to them shall seem meet, and to apply the Rent or Rents arising therefrom in Payment and Discharge of all such Taxes and Rates, and the Penalties incurred for Nonpayment thereof, and of such other Charges and Expences as they the said Commissioners shall incur or be liable to in consequence of all or any of such last-mentioned Proceedings.

Lands may be let for Payment of Taxes.

XXIX. And be it further enacted, That if any Person or Persons shall at any Time after the passing of this Act be in Arrear for any Rate or Tax imposed and made payable by virtue of the Commission of Sewers of the said *Upper Levels*, in respect of any Lands or Grounds comprised within the Limits of the said Commission, and shall neglect for the Space of One Calendar Month to pay such Tax to the Receiver or Receivers, Collector or Collectors thereof, at such Time and Place as the Commissioners acting under the said Commission have appointed, then the Rate or Tax so in Arrear shall be recoverable by the Commissioners acting under or by virtue of this Act, in the same Manner as the Rate or Tax chargeable by this Act is herein directed to be recovered.

For Recovery of Taxes under former Commission of Sewers.

XXX. And be it further enacted, That all the Money now in the Hands of the Commissioners of Sewers of the said *Upper Levels*, or their Treasurer, Expenditor, or Collector, and all Monies now due and owing to them the said Commissioners, or which shall at any Time or Times hereafter come to their Hands in respect of any Rate or Tax heretofore granted, or hereafter to be granted or ordered by them, and to be payable out of all or any of the Lands hereby authorised or directed to be rated or scotted, except the Lands in *Wittersham Levels*, and which shall not have been previously paid and applied, shall be paid and applied in or towards the Payment and Discharge of the Costs, Charges, and Expences of the Defendants in the said Suit, and so ordered to be paid as aforesaid, and

Application of the Rates.

of the Costs, Charges, and Expences of them the said Commissioners incurred in or relating to the said Suit in Equity in which they have been engaged, and to which they the said Commissioners or any or either of them are or shall be liable under any Decree or Order of the High Court of Chancery, and of any other Debt or Sum of Money due or owing by or from them; and all other Monies which shall come to the Hands of the Commissioners appointed by this Act or any of them, or their Treasurer, Expenditor, or Collector, shall be applied by the said Commissioners or any of them, in the first Place, in Payment and Discharge of all the Charges and Expences incurred in any Manner incident to and attending the Application for and obtaining the passing of this Act, or otherwise relating thereto; and in the second Place, in paying off the Interest on the Monies hereinafter authorised to be borrowed on the Credit of the said Taxes; and in the third Place, in paying and discharging the several ancient Annual Rents heretofore paid and now payable by the said Commissioners of the said *Upper Levels*, in respect of the Lands taken and used by them for an Indraught or Reservoir, so long as any Lands shall be so occupied and used by them; and also the Rents paid and payable by the Commissioners for the Lands taken and used by them for cutting the said Channel, now constituting Part of the said *River Rother*, in the Manner hereinbefore mentioned or referred to; and also in paying and discharging the Tithes, Quit Rents, and all other Charges and Taxes heretofore paid and now payable by the said Commissioners, in respect of the said Lands; and which said ancient Annual Rents, and the Persons to whom the same are now payable, are mentioned and specified in a Schedule to this Act annexed; and in making and doing such Works as the said Commissioners are by this Act authorised to make, do, and execute; and that when all such Charges and Expences as aforesaid shall be paid and satisfied, all the Money remaining in the Hands of the said Commissioners shall be applied in Reduction of the Principal Money due or to be borrowed under the Authority of this Act.

Taxes vested  
in Creditors  
and Annu-  
tants.

XXXI. And be it further enacted, That the Rates and Taxes hereby authorised and directed to be raised shall be and are hereby charged and chargeable with and for the Payment of all and every Sum and Sums of Money which shall or may be borrowed under the Authority of this Act, and the Interest of such Money respectively, and of any Annuity or Annuities which shall be granted under the Authority of this Act, and shall vest in such respective Creditors and Annuitants until such Principal Money and Interest and Annuities shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Nonpayment thereof; and the said Creditors and Annuitants respectively, and their respective Executors, Administrators, and Assigns, shall have the same Powers, Rights, and Privileges of raising, recovering, and enforcing Payment of the said Rates and Taxes, for the satisfying and discharging to them respectively such Principal Money, Interest, and Annuities (if Default shall be made in Payment thereof as the same shall become due), as the said Commissioners, or their Expenditor or Expenditors, Collector or Collectors, have or would have had by virtue of this Act in case the said Principal Money, Interest, and Annuities had been regularly paid and satisfied.

XXXII. And

XXXII. And be it further enacted, That no Person or Persons who is, are, or shall be a Creditor or Creditors on the Rates and Taxes imposed by this Act, and who is, are, or shall be a Proprietor or Proprietors, Occupier or Occupiers of any of the Marsh Lands or Low Grounds to be taxed by virtue of this Act, shall at any Time hereafter deduct or set off, or be allowed or permitted by the said Commissioners to deduct or set off, all or any Part of the Interest payable to him, her, or them respectively as such Creditor or Creditors as aforesaid, out of or from any Sum or Sums of Money which shall be due from or payable by him, her, or them respectively for such Rates and Taxes as such Proprietor or Proprietors, Occupier or Occupiers as aforesaid; but the Rates and Taxes payable by him, her, or them, shall from Time to Time be paid to the Collector or Collectors, Expenditor or Expenditors of the said Commissioners, in the same Manner as if such Person or Persons was or were in no ways interested as a Creditor or Creditors.

Creditors not to deduct Interest.

XXXIII. And be it further enacted, That the said Commissioners shall make new, or repair and amend the present Walls and Banks on each Side of the said River *Rother*, from *Bodiam Bridge* to *Scot's Float Sluice*, so as effectually to protect the Lands on each Side of the said River from the Tidal Waters which shall be admitted through the said Sluice at *Scot's Float*, and also shall make such Alterations in the said Sluice at *Scot's Float* as are directed to be made by them by the said Decree hereinbefore mentioned; and that from and after such several Alterations, Repairs, and Works shall be made and completed, the same shall from thenceforth and at all Times thereafter be repaired and kept in good and sufficient Repair; and the said River *Rother*, from *Bodiam Bridge* to *Scot's Float Sluice*, shall as often as occasion may require be scoured, deepened, and cleansed, so as at all Times to preserve the same Depth of Water for Navigation as is directed by the said recited Decree; and the said Commissioners are hereby also authorised and empowered to erect, make, and put up all such other Sluices, Gates, Pointing Doors, Sewing Guts, Banks, or other Works on the Sides of but not across or over the said River *Rother*; and also to unite the said River *Rother* with a certain Channel called the *Otter Channel*, in, near, or through a certain Piece of Land belonging to *Monypenny*, at a Place called the *Wet Level*, Part of the said Level of *Wittersham*, and to make such Cuts, Drains, Banks, Dams, Headings, Outlets, Mills, Engines, and other Works, in, on, over, or through any of the Lands within the Limits of this Act, as they shall from Time to Time think necessary and proper to be made for the draining or protecting of the said Lands, but so as not to injure the said Harbour of *Rye*, or in any Manner impede or obstruct the Navigation of the said River *Rother*; and the said Sluice at *Scot's Float*, and the several Side Sluices, and all Gates, Guts, Banks, Walls, Dams, Cuts, Drains, Headings, Mills, Engines, or other Works heretofore made or erected by the said Commissioners of the *Upper Levels*, or which shall hereafter be made by the said Commissioners under and by virtue of this Act, and which are not or shall not be repugnant thereto or prejudicial to the said Harbour or Navigation, shall be vested in and be the Property of the said Commissioners; and the said Commissioners shall have full Power and Authority over all and singular such Sluices, Gates, Guts, Banks, Walls, Dams, Bridges, Cuts, Drains, Headings, Mills, Engines, and other Works so made or set up, or to be

Power to make Works.

Which Works are vested in Commissioners.

maintained

maintained and kept in repair as aforesaid, and shall have full Power and Authority from Time to Time, without Prejudice nevertheless to the said Harbour and Navigation, to cleanse, widen, deepen, alter, repair, remove, support, rebuild, and enlarge the same respectively, as they may think proper, for the better draining and preserving the said Marsh Lands or Low Grounds, but not so as in any Manner to injure the Harbour of *Rye*, or impede or obstruct the Navigation of the said River *Rother*; and it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and empowered from Time to Time to divide off, take, and use such Lands and Hereditaments as the said Commissioners shall judge necessary to be cut, digged, taken, or used for making such Cuts, Drains, Banks, Walls, Dams, Headings, or other Works as aforesaid, or which they the said Commissioners shall deem proper and requisite to be left and reserved for the Preservation of any Banks made or maintained by virtue of this Act between the same Banks and the Ditches or Drains made or to be made next the same; and also from Time to Time and at all Times to dig, cut, take, and carry away any Earth or other Materials from off the Lands within the Limits of this Act, in order to heighten, widen, straighten, make, maintain, and support the Banks and Works already and hereafter to be made under the Authority of this Act, within the said Limits, of such Width, Strength, and Dimensions as the said Commissioners shall think proper, they doing as little Damage as may be, and making Compensation for the same as herein mentioned: Provided always, that nothing hereinbefore contained shall prevent the said Commissioners from doing the Works by the said Decree directed to be done in such Order (at such Times as they or their Engineer for the Time being shall think proper), but so, nevertheless, that the whole of the said Works be completed within the Space of Five Years by the said Decree appointed for doing the same; but so, nevertheless, that it shall not be lawful for the Commissioners to assess, rate, or tax any of the aforesaid Lands lying on the South or South-east Side of the said ancient Wall extending from *Craven* to *Scot's Float Sluice*, or to Seaward of the said Sluice, for or in respect of any of the Works by this Act authorised to be made or done.

Land, &c.  
may be taken  
for Works.

Power to  
suspend Na-  
vigation on  
the *Rother*  
during the  
Repair of  
Works.

Works not  
to impede  
Flux and  
Reflux of  
the Sea.

XXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or the Person or Persons appointed by them, to superintend the said Sluice at *Scot's Float* from Time to Time, and at all Times when any of the Walls, Banks, Sluices, Drains, Sewing Gates, or other Works necessary for protecting or draining the said Marsh Lands or Low Grounds, or belonging to the said Commissioners, shall be in Decay or out of Repair, or required to be scoured or cleansed to prevent the Tidal Waters from passing into the said River *Rother*, and also to draw off the Water from the said River, and to suspend the Navigation thereon, but for such Time only as may be absolutely necessary for repairing, reinstating, scouring, or cleansing any such Works, any thing hereinbefore contained to the contrary notwithstanding: Provided always, that no New Wall, Bank, Dam, or Stop, or any Sluice or other Work, shall hereafter be erected, set up, or made, which shall restrain, stop, or hinder the present or future Flux or Reflux of the Sea into and from the said River of *Rother*, and the said Harbour of *Rye*, in a greater Degree than



than the same will be restrained, stopped, or hindered by the Works directed to be made and erected by the said recited Decree.

XXXV. And be it further enacted, That all such Walls, Dams, and Stops not hereby authorised, which shall hereafter be erected, shall be and the same are hereby declared to be public Nuisances to the Port and Harbour of *Rye*, and shall be liable to be abated, pulled down, and removed as any other public Nuisance or Nuisances; and the Person and Persons erecting, setting up, or making any such New Wall, Bank, Dam, or Stop, shall be liable to be prosecuted and proceeded against for the erecting, setting up, or making the same, at the Assizes or Quarter Sessions of the Peace to be held for the County or District in which any such New Wall, Bank, Dam, or Stop shall be so erected, set up, or made, in such and the like Manner as any Person or Persons is or are liable to be prosecuted and proceeded against for the erecting any public Nuisance by any Law or Statute now in force.

Certain Works to be deemed Nuisances.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners to cause the Lands comprised within the Limits of this Act to be surveyed and measured, and to pay the Expence of such Survey and Admeasurement out of any Monies which shall come to their Hands by virtue of this Act.

Lands may be surveyed.

XXXVII. And be it further enacted, That the Commissioners appointed by virtue of this Act shall have full Power and Authority to enter upon the Lands within the Limits of this Act of any Person or Persons, adjoining or near to any of the Banks, Sluices, Cuts, Drains, Dams, Tunnels, Outlets, Headings, or other Works which they the said Commissioners are hereby directed or authorised to make or do, and to take or dig Earth therefrom, and to do such other Acts as may be necessary to carry into Effect the Purposes of this Act, making Satisfaction to the Party or Parties injured thereby; and for that Purpose the said Commissioners are hereby empowered to agree with the Proprietors of and Persons interested in any Lands, Tenements, or Hereditaments which they the said Commissioners shall judge necessary to be dug, cut, taken, used, or entered upon, for making any Banks, Sluices, Cuts, Drains, Dams, Tunnels, Outlets, Headings, or other Works hereby directed or authorised to be made or done, for the Purchase of such Lands, Tenements, and Hereditaments, or for the Recompence to be made to such Proprietors and Persons interested for the Damages they may sustain thereby, 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 Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail General or Special, Husbards, 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, Lunatics, Idiots, Femes Covert, or other Person or Persons who are or shall be seised or interested in their own Rights, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, to contract for, sell, and convey unto the said Commis-

Commissioners may enter upon and agree for the Purchase of Lands, &c.

sioners, or to such Person or Persons as they shall appoint, any Lands, Tenements, or Hereditaments for the Purposes aforesaid; or to agree with the said Commissioners for any Recompence or Compensation to be made for the Damages which may be done to any such Lands, Tenements, or Hereditaments by the Means aforesaid; and all such Contracts, Sales, Conveyances, and Agreements, shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, are hereby indemnified for what they or any of them shall lawfully do in pursuance of this Act; and all such Lands, Tenements, or Hereditaments so to be purchased shall be vested in the said Commissioners for the Purposes of this Act.

In case of refusing to treat, Jury to be summoned.

XXXVIII. Provided always, and be it further enacted, That if it shall happen that any such Body Politic, 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 Bodies Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at his, her, or their Place or respective Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, or Hereditaments, neglect or refuse to treat, or shall not agree with the said Commissioners, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners may and they are hereby authorised and empowered, Fourteen Days at least before any General Quarter Sessions of the Peace to be holden for the County or Place where such Lands, Tenements, or Hereditaments shall be situate, within Twelve Calendar Months after such Lands, Tenements, or Hereditaments shall have been taken or used, or such Damage done, to give or cause to be given to the Party or Parties whose Lands, Tenements, or Hereditaments shall have been taken or used, or who shall have sustained such Damage or Injury, or to leave or cause to be left at his, her, or their last usual Place or Places of Abode respectively, or at the Place of Abode of the Tenant or Tenants in Possession of the Premises, a Notice in Writing, purporting that the Value of such Lands, Tenements, or Hereditaments, and the Amount of the Damage or Injury sustained, will be adjusted and settled by a Jury at the said Sessions; and the Justices at their said Sessions, or any Adjournment thereof, shall charge, and they are hereby authorised and required to charge, the Jury which shall attend at such Sessions, or some other Jury of Twelve honest and substantial Men, to be then and there impannelled and returned by the Sheriff of the County where such Lands, Tenements, or Hereditaments shall be situated, and to cause them to be sworn well and truly on their Oaths to assess the Value of such Lands, Tenements, or Hereditaments, and the Recompence to be given for the same, or for any Damage or Injury sustained as aforesaid, to the respective Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, having any Interest therein, or to the Owner or Owners thereof, according to their respective Interests, to which said Juries the said Commissioners and all Parties interested shall have their lawful Challenges when they come to be sworn, but shall not challenge the Array; and the Clerk of the Peace for such County is hereby empowered and required, upon Application made to him by any of the Parties interested, by Subpoena or Summons under his Hand, to call before  
the

the Justices at such Sessions or any Adjournment thereof any Person or Persons who shall be thought proper to be examined touching or concerning the Premises; and the said Jury upon their Oaths (which Oaths, and also the Oaths to be taken by the Persons who shall appear or be summoned to be examined and give Evidence as aforesaid, the said Justices at their said Sessions are hereby empowered and required to administer,) shall ascertain and award the Sum of Money to be given for such Lands, Tenements, or Hereditaments, or any Damage or Injury which shall have been done as aforesaid, to the respective Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, or Owner or Owners thereof; and the said Justices shall and may give Judgment according to the Verdict of the said Jury; and the Judgment thereupon declared and pronounced by the said Justices shall finally bind and shall be conclusive to the said Commissioners, and all Persons and Parties interested in the said Lands, Tenements, or Hereditaments, and shall be entered and kept among the Records of the Quarter Sessions of the said County; and the same or a true Copy thereof, being signed by the Clerk of the Peace for the said County, shall be deemed and taken as good Evidence in all Courts of Law or Equity, and all Persons may have Recourse thereto, or take Copies thereof, or Extracts therefrom, on paying the usual Fees paid in Cases of the like Nature.

XXXIX. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, or Hereditaments, or other Property, than had been previously offered by or on Behalf of the said Commissioners, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on Behalf of the said Commissioners, or where, by reason of Absence in foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at Hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensation, from the said Commissioners as hereinbefore mentioned, then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict, and all other Proceedings relative thereto, shall be settled by any Two Justices of the Peace for the said County, and be defrayed by the said Commissioners; and in case such Costs shall not be paid by the said Commissioners within Five Days after the same shall be demanded, the same shall and may be levied by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said County, by Distress and Sale of the Goods and Chattels vested in the said Commissioners or their Treasurer or Treasurers (unless the Treasurer or Treasurers of the said Commissioners shall pay such Costs and Expences out of any Monies received by him or them by virtue of this Act, which he is hereby empowered to do); but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on Behalf of the said Commissioners, or for a less Sum than had been so previously offered,

Expences of  
Jury how to  
be defrayed.

and be it further  
enacted, That in  
each and every  
Case where a  
Verdict shall be  
given for more  
Money for the  
absolute Sale of  
any Lands, Tenements,  
or other Hereditaments  
of or belonging to  
any Body or Bodies  
Politic, Corporate,  
or Collegiate, or to  
any Person or Persons  
unknown, or as  
Compensation for  
any Damages done  
or to be done to  
any Lands, Tenements,  
or other Property,  
than had been  
previously offered  
by or on Behalf  
of the said Commissioners,  
or where any  
Verdict shall be  
found for any  
Damages where  
the Dispute is  
for Damages only,  
or where no  
Compensation or  
a smaller Sum  
than shall be  
given by such  
Verdict had been  
previously offered  
or tendered in  
respect thereof  
by or on Behalf  
of the said  
Commissioners,  
or where, by  
reason of  
Absence in  
foreign Countries  
or other  
Impediment or  
Disability as  
aforesaid, there  
shall not be  
found any  
Person or  
Persons at  
Hand who may  
be legally  
capacitated to  
enter into a  
Contract with,  
and make  
Conveyances to,  
and receive  
Compensation,  
from the said  
Commissioners  
as hereinbefore  
mentioned, then  
and in all such  
Cases all the  
reasonable  
Costs and  
Expences of  
impannelling,  
summoning,  
and returning  
such Jury and  
taking such  
Verdict, and  
all other  
Proceedings  
relative thereto,  
shall be settled  
by any Two  
Justices of the  
Peace for the  
said County,  
and be defrayed  
by the said  
Commissioners;  
and in case  
such Costs shall  
not be paid by  
the said  
Commissioners  
within Five  
Days after the  
same shall be  
demanded, the  
same shall and  
may be levied  
by virtue of  
any Warrant  
under the Hand  
and Seal of  
any Justice of  
the Peace acting  
in and for the  
said County, by  
Distress and  
Sale of the  
Goods and  
Chattels vested  
in the said  
Commissioners  
or their  
Treasurer or  
Treasurers  
(unless the  
Treasurer or  
Treasurers of  
the said  
Commissioners  
shall pay such  
Costs and  
Expences out  
of any Monies  
received by  
him or them  
by virtue of  
this Act, which  
he is hereby  
empowered to  
do); but if any  
Verdict shall  
be given for  
the same Sum  
or Rent as had  
been previously  
offered by or  
on Behalf of  
the said  
Commissioners,  
or for a less  
Sum than had  
been so  
previously  
offered,

offered, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensation from the said Commissioners by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners,) the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict, and all other Proceedings relative thereto, shall be settled in like Manner by the said Justices, and be borne and paid in the Manner following; (that is to say,) One Moiety or Half Part of such said Costs and Expences shall be borne and paid by the said Commissioners, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Commissioners shall have such Disputes or Controversies; which said Costs and Expences having been so settled shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures incurred by this Act.

Application  
where the  
Compen-  
sation ex-  
ceeds 200<sup>l</sup>.

XL. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity as herein mentioned, such Money shall (in case the same shall exceed the Sum of Two hundred Pounds) with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the said Commissioners, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Discharge of any Debt or Debts, or Part thereof, affecting the same Lands, Tenements, or Hereditaments

ditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, and Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited; or such of them as at the Time of making such Convèyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean time, and until such Purchase shall be made, the said Money shall, on the Request of any Three or more of the said Commissioners in Writing signed by them, and without any Order of the Court of Exchequer, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean time, and until the said Bank Annuities shall be ordered by the said Court of Exchequer to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time go and belong to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XLI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall not exceed Two hundred Pounds, nor be less than Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees (in case of Infancy or Lunacy), to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General, and to be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option and approved of by Three or more of the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Money may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Exchequer.

Application where the Money shall not exceed 200<sup>l</sup>. nor be less than 20<sup>l</sup>.

XLII. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before is mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, or

Application of Purchase Money where less than 20<sup>l</sup>.

in case of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, &c. Purchase Money to be paid into the Bank.

XLIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to such Lands, Tenements, or Hereditaments to the Satisfaction of the said Commissioners, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then in every such Case it shall and may be lawful to and for the said Commissioners or any Three or more of them to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the aforesaid Accountant General, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, or Disposition of the said Court of Exchequer; which said Court of Exchequer, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of Doubt upon the Title of Lands purchased, the Interest of the Money paid into the Bank shall be paid to the Person who was in Possession of the Premises at the Time of the Purchase.

XLIV. Provided always, and be it further enacted, That where any Question shall arise touching or concerning the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities; the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be applied and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession

Possession was a wrongful Possession; and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or of or to some Estate or Interest therein.

XLV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act; the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful to and for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Exchequer may order the Expences of Purchases to be paid by Commissioners.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or the major Part of them assembled at the First Meeting to be holden after the passing of this Act, or at any Adjournment thereof, and at any General Meeting (at which respective Meetings Five Commissioners at the least shall be present), and they are hereby empowered from Time to Time to borrow any Sum or Sums of Money which they shall think necessary for the Purposes of this Act, not exceeding in the whole at any Time the Sum of Ten thousand Pounds, by way of Mortgage, and by Writing under their Hands and Seals to assign over the said Rates and Taxes as a Security for the Repayment of any such Sum and Sums of Money so to be borrowed by way of Mortgage, with lawful Interest for the same, to the Person or Persons who shall advance and lend the same, his, her, or their Trustee or Trustees, Executors, Administrators, or Assigns; and such Interest as aforesaid shall be payable and paid yearly; and all and every Person or Persons to whom any such Mortgage or Assignment of the Rates and Taxes shall hereafter be made shall be a Creditor or Creditors on the Rates and Taxes charged upon the Whole of the Lands and Grounds lying within the Boundary of this Act; and no such Person shall have any Preference in respect of the Priority of advancing any such Sum of Money; and the Expence of every such Mortgage shall be paid by the said Commissioners.

Commissioners may borrow Money by way of Mortgage.

XLVII. And be it further enacted, That every such Mortgage or Assignment may be in the Words or to the Effect following:

Form of Mortgage.

WE of the Commissioners appointed by or in pursuance of an Act passed in the Seventh Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], in Consideration of the Sum of \_\_\_\_\_ advanced and lent by *A. B.* upon the Credit and for the Purposes of the said Act, do hereby grant and assign to the said *A. B.*, [*or, to his Trustee or Trustees, as the Case may require,*] his Executors, Administrators, and Assigns, such Proportion of the Rates, Taxes, or Assessments to be raised,





next ensuing the Date hereof. In Witness whereof we the said Commissioners have hereunto set our Hands and Seals the Day of \_\_\_\_\_ in the Year \_\_\_\_\_

And every such Grant shall be good, valid, and effectual in the Law, without any Enrolment or Registry of the Memorial thereof in the High Court of Chancery or elsewhere, except as hereinafter mentioned, any Law or Statute to the contrary thereof in anywise notwithstanding; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid by the Treasurer to the said Commissioners out of the Rates, Taxes, or Assessments, according to the Grant of such Annuity.

XLIX. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Two several Acts, One passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Restrictions as to Grants of Annuities.

L. And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the Securities for the Money borrowed by virtue of this Act, or to be raised by the granting of Annuities as aforesaid, and their respective Executors, Administrators, or Assigns, (as the Case may be), at any Time by Writing under their Hands and Seals to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following:

Power of transferring Mortgages and Annuities.

I *A. B.*, being entitled to the Sum of \_\_\_\_\_ [or, an Annuity of \_\_\_\_\_ secured to *C. D.* and his Assigns, *as the Case may be,*] by virtue of a Mortgage or Assignment [or, Grant of an Annuity], bearing Date the Day of \_\_\_\_\_ under the Hands and Seals of \_\_\_\_\_ of the Commissioners acting in the Execution of an Act made in the Seventh Year of the Reign of King George the Fourth, intituled [set forth the Title of this Act], upon the Credit of the Rates, Taxes, and Assessments granted or payable by the said Act, do hereby transfer all my Right and Title in and to the same Sum [or Annuity], and all Interest and other Money now due and owing thereon, unto *E. F.*, his Executors, Administrators, and Assigns. Dated the \_\_\_\_\_ Day of \_\_\_\_\_

Form of Transfer.

And a Copy of every such Security, Mortgage, or Assignment, together with the Number or Numbers thereof, and of every Grant of Annuity which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, which Extract or Memorial shall specify and contain the Date, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall at all seasonable Times have Access, and shall

Copies of Securities to be entered in a Book for that Purpose.

have free Liberty to inspect the same without Fee or Reward ; and for the entering of every such Transfer the said Clerk shall be paid, by the Person to whom such Transfer shall be made, the Sum of Two Shillings and Sixpence and no more ; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Inrolment whatsoever.

Provision for  
the Payment  
of Creditors  
by Ballot.

LI. And in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of Rates, Taxes, or Assessments hereby imposed, be it further enacted, That the said Commissioners (if there shall be more Creditors than One) shall cause the Numbers of all Mortgages, Assignments, or Securities granted and then in force, for securing the principal Monies lent and advanced upon the Credit of such Rates, Taxes, or Assessments, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the said Mortgages, Assignments, or Securities shall be drawn separately out of the said Box or Wheel by the Clerk to the said Commissioners ; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to or left at the last or usual Place of Abode of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, and where there is only One Creditor, to give Six Calendar Months Notice to such Creditor, of the Intention of the said Commissioners to pay him or her as aforesaid ; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same shall be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Six Calendar Months after the Day of giving or leaving such Notice as aforesaid ; and the Interest of the principal Money so to be paid off shall from and after the Day so to be specified cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid, but the principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the Day to be so specified, shall nevertheless be payable on Demand ; but nothing herein contained shall extend or be construed to extend so as to require the said Commissioners to pay off and discharge any Monies lent on the Credit of the said Rates, Taxes, or Assessments by way of Annuity, until all other the Creditors on the said Rates, Taxes, or Assessments shall be paid off and discharged, and the several Parties so lending Money by way of Annuity shall agree to accept the Sum or Sums of Money offered by the said Commissioners for the Repurchase of such his, her, or their Annuity or Annuities.

Power to  
borrow  
Money at a  
lower Rate of  
Interest to  
discharge  
Securities at  
a higher  
Rate.

LII. Provided always, and be it enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners from Time to Time to charge the said Rates, Taxes, or Assessments, in Manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof

at.

at such low Rate as aforesaid, and to pay off and discharge the Mortgages, Assignments, or Securities bearing a higher Rate of Interest, according to the Directions and Regulations herein prescribed for paying off Assignments or Securities.

LIII. And be it further enacted, That the Owner and Owners of any Boat, Barge, Lighter, or other Craft navigating the aforesaid River *Rother*, shall be, and he and they is and are hereby made answerable for all Trespass, Damage, Spoil, or Mischief that shall be done by such Boat, Lighter, or Craft, or by any of the Boatmen, Bargemen, Watermen, or other Person or Persons belonging to or employed in or about the same respectively, by any Means whatsoever, to the Sluice, or any of the Banks or other Works erected, maintained, or repaired under the Authority of this Act; and the Owner or Owners of every such Boat, Barge, Lighter, or other Craft, shall for every such Trespass, Damage, Spoil, or Mischief so committed as aforesaid, upon Conviction of the Boatman, Bargeman, Waterman, or other Person or Persons committing the same, before any Justice of the County or Place where the Offence shall be committed, on the Oath of any credible Witness or Witnesses, (which Oath such Justice is hereby authorised to administer,) or on the Confession of the Party or Parties offending, pay to the said Commissioners such Damages, Satisfaction, and Compensation as shall be ascertained, fixed, and determined by such Justice, provided that such Damages, Satisfaction, or Compensation shall not exceed the Sum of Fifty Pounds, and shall also forfeit and pay to the Informer or Informers any Sum not exceeding Forty Shillings, to be settled and determined by such Justice; but in case such Damages shall exceed the Sum of Fifty Pounds, the said Owner or Owners may be sued by the said Commissioners for such Damages, Satisfaction, and Compensation, in any of His Majesty's Courts of Record at *Westminster*, at the Discretion of the said Commissioners.

Owners accountable for Damage done by Boatmen.

LIV. Provided always, and be it further enacted, That every such Boatman, Bargeman, Waterman, and other Person so offending as last aforesaid, shall be answerable for and shall repay all such Damages, Satisfaction, Compensation, and Penalty, as shall be so ascertained, fixed, determined, and recovered as aforesaid, with all the Costs of levying and recovering thereof, to his Master or Masters, or Owner or Owners; and in case of Nonpayment thereof on Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them, of such Damages, Satisfaction, Compensation, Penalty, and Costs, and that the same have been demanded of such Servant, Boatman, Bargeman, or Waterman respectively, but that the same have not been repaid (such Oath to be made before any One of His Majesty's Justices of the Peace for the said Counties of *Kent* and *Sussex*), the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be levied and recovered by Warrant under the Hand and Seal of such Justice.

Masters to recover from Boatmen.

LV. And be it further enacted, That if any Person or Persons shall at any Time hereafter maliciously and unlawfully cut, break down, burn, demolish, or destroy any Sluice, Bank, Wall, Tunnel, Bridge, or other Work already made or erected, or which shall at any Time hereafter be

Punishment for destroying or damaging Works, &c. making

making or erecting, or be made or erected, or supported or maintained, for answering any of the Purposes of this Act, every Person so offending, and being thereof convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom any such Person shall be tried shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, in like Manner as Felons are directed to be transported by the Laws and Statutes of this Realm, or in Mitigation of such Punishment, such Court may in its Discretion award such Sentence as the Law directs in Cases of Petit Larceny.

Punishment  
for Persons  
impeding  
Execution  
of Works or  
Act.

LVI. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully and unlawfully damage or damage up or obstruct any such Sluice, Bank, Wall, Tunnel, Bridge, or any Cut, Drain, Watercourse, Doors, Dams, or other Work or Works already made or erected, or which shall at any Time or Times hereafter be making or erecting, or to be made or erected, supported or maintained, for answering any of the Purposes aforesaid; or if any Person shall wilfully hinder or obstruct the said Commissioners, or any of their Officers, or any Servants, or their Superintendent, or other Person to be employed by them in making or repairing any Work or Works hereby directed or authorised to be done; every Person offending in any or either of the Cases aforesaid, and being thereof convicted before any Two or more Justices of the Peace for the County or Place wherein such Offence shall be committed, (which Justices are hereby required to hear and determine the Matter,) on the Oath of Two or more credible Witnesses, shall forfeit any Sum not exceeding Twenty Pounds to the said Commissioners, to be applied by them for the Purposes of this Act; and in Default of Payment thereof, the Person or Persons so offending shall be sent to the House of Correction for the County or Place where such Offence shall be committed, there to be kept to hard Labour for such Time as such Justices shall order and direct, not exceeding Six Calendar Months.

For securing  
transient  
Offenders.

LVII. And be it further enacted, That it shall and may be lawful for any of the said Commissioners, or for any of their Surveyors, Collectors, or other Officers, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons being unknown to such Commissioners, Surveyors, Collectors, or Officers, who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the Counties of *Kent* and *Sussex*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Manner of  
Proceeding  
for Convic-  
tion of Of-  
fenders.

LVIII. And for the more easy and speedy Conviction of any Offender or Offenders against this Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words; (*videlicet*.)



in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated; then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorised and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale; then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Damages  
and Charges  
in Cases of  
Dispute to be  
settled by  
Justices.

LXIII. And be it further enacted, That where by this Act any Damages or Charges are directed or authorised to be paid or recovered in Addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges (in case of Dispute respecting the same) shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorised and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner hereby directed for the levying of any Penalties or Forfeitures.

Informations  
not to be in  
Writing.

LXIV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Recovery  
and Appli-  
cation of  
Penalties.

LXV. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is hereinbefore made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in or for the County, City, or Place  
where

where the Offence shall have been committed, in a summary Way, upon Information or Complaint made, (and which shall in every Case be made and exhibited within Three Calendar Months at furthest next after the committing of such Offence respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods and Chattels shall be distrained; one Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer of the said Commissioners, and applied to the Purposes of this Act; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by Way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County, City, or Place, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures,  
and

and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Allowing Appeal at the Quarter Sessions from Determination of Justices.

LXVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate made by virtue of this Act, or by any Order or Determination of any Justice or Justices of the Peace for any Thing done in pursuance of this Act, he, she, or they may appeal to the General Quarter Sessions of the Peace which shall be holden for the County or Place where the Cause of Complaint shall arise, within Six Calendar Months next after the Cause of Complaint shall have arisen, and the Justices in the said General Quarter Sessions respectively are hereby required to hear and determine the Matter of every such Appeal, and to make such Order and award such Costs therein as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, wherever they shall be found, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels after deducting the reasonable Charges of such Distress and Sale; which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removeable by Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*.

Party appealing to give One Month's Notice of his Intention.

LXVII. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall, under or by virtue of any of the Powers and Provisions hereinbefore contained, intend to have any Matter of Dispute, Complaint, or Appeal determined by the Justices in their said General Quarter Sessions, every such Person or Persons shall give at least One Calendar Month's Notice to the Party or Parties against whom such Matter of Dispute, Complaint, or Appeal, shall be intended to be preferred, of such his, her, or their Intention, specifying the Matter of such Dispute, Complaint, or Appeal; and where any such Dispute, Complaint, or Appeal, shall be intended to be preferred against the said Commissioners, such Notice shall be delivered to their Treasurer or Clerk; and in Cases where the said Commissioners shall be Appellant, such Notice shall be signed by their Treasurer or Clerk; and it shall and may be lawful for the said Justices in their said General Quarter Sessions, in Default of Proof of such Notice, or for any other just and reasonable Cause, to postpone the Hearing of such Matter to any Adjournment of the said Sessions, or until the General Quarter Sessions then next following, at the Discretion of the said Justices.

On Appeal from Rate, the Quarter Sessions may amend it without quashing it, or if necessary may quash the Rate.

LXVIII. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act, the Court of General or Quarter Sessions of the Peace shall, and such Court is hereby authorised and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of Opinion that it is necessary,



sary, for the Purpose of giving Relief to the Person or Persons appealing, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

LXIX. And be it further enacted, That no Order or other Proceeding to be made or had by or before any Justice or Justices of the Peace, or to be otherwise made or had in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed by Certiorari into any of His Majesty's Courts of Record at *Westminster*.

Proceedings not to be vacated for Want of Form, nor removed by Certiorari.

LXX. And be it further enacted, That where any Distress shall be made for any Rate, Tax, Penalty, or Forfeiture, or Sum or Sums of Money whatever to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Rate or Assessment to be made, or in the Information, Summons, or Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by any such Irregularity shall and may recover Satisfaction for any special Damage in any Action upon the Case.

Distress not unlawful for Want of Form.

LXXI. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Avowant or Avowants, or left at his, her, or their last usual Place or Places of Abode, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, Avowant or Avowants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful to and for the Defendant or Defendants, Avowant or Avowants, in any Action, by Leave of the Court where such Action shall be brought, any Time before Issue joined, to pay into Court such Sum of Money as such Defendant or Defendants, Avowant or Avowants, may be advised.

Plaintiff not to recover without Notice, or after Tender of Amends.

LXXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty-one Days Notice thereof shall be first given in Writing to the Defendant or Defendants for the Time being, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor after Three Calendar Months next after the Act committed for which such Action or Actions, Suit or Suits, shall be so brought; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall arise, and not in any other County or Place; and that the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for

Limitation of Actions.

[*Local.*]

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which

which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place, than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if Judgment shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Saving.

LXXIII. Saving nevertheless, and reserving to the King's most Excellent Majesty, His Heirs and Successors, all such Estate, Right, Title, Interest, Benefit, Property, Claim, or Demand whatsoever, of, into, out of, or upon the Lands or Hereditaments to which this Act extends, as was or were vested in the Crown immediately before the passing of this Act:

Not to affect  
Commis-  
sioners of  
Rye Har-  
bour.

LXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen or take away in any Respect whatsoever the Powers vested in the Commissioners of the Harbour of *Rye* by virtue of any Act now in force, nor shall any thing herein contained prejudice or affect any Action, Suit, or other Proceedings now depending in any of His Majesty's Courts of Law or Equity relating to the Matters affected by this Act, except so far as is or are herein expressly enacted and set forth.

Public Act.

LXXV. 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.

The SCHEDULE of RENTS payable by the Commissioners of the *Upper Levels*, mentioned and referred to in the foregoing Act.

Land Tax.	OWNERS OR PROPRIETORS.	Annual Rents.
£ s. d.		£ s. d.
2 8 0	The Heirs of Thomas Blackmore, Esquire - - -	14 8 1
	The Heirs of Ann Blackman - - -	6 10 9
1 0 0	The Mayor, Jurats, and Commonalty of the ancient Town of } Rye, late Robert Boswell - - - - - }	7 10 0
	George Bishop - - - - -	0 17 6
	John Butler Pomfret, Esquire, late the Heirs of Richard Curteis, } Esquire, deceased - - - - - }	4 5 4½
	£	33 11 8½
	Edward Jeremiah Curteis, Esquire:	
	£ s. d.	
	For Lands late Edward Curteis's - - - 4 11 8	
	Stone's - - - - - 8 10 10	
	Grebell's - - - - - 1 3 3	
	John Austin's - - - - - 1 8 0	
	Sir John Ladd's - - - - - 0 14 6	
	Richard Bigg's - - - - - 5 15 4	
	John Austen's, Esquire - - - 10 3 0	
	Mary Woollett - - - - - 5 5 0	
	Nathaniel Pigram's Heirs - - - 1 4 11	
	John Turk's Heirs - - - - - 1 3 8	40 0 2
	William Cockerton - - - - -	11 7 6
	Thomas Law Hodges, Esquire - - -	1 4 6
	Reverend John Hutton, and Silvestra Hutton his Wife - - -	0 5 0
	Henry Munn, late Lomas - - - - -	1 11 5
	William Alexander Morland, Esquire - - - - -	6 17 0
	Richard Curteis Pomfret, late John Norton's - - - - -	11 12 7½
0 13 0	Edward Penford - - - - -	5 0 0
	John Reeve's Heirs - - - - -	0 16 6
	Reverend Jeremiah Smith's Heirs - - - - -	1 17 1¾
	The Mayor, Jurats, and Town Council of the Town and Port } of Hastings, late James Sanders - - - - - }	4 11 8
	The Heirs of Mrs. Martha Tyle - - - - -	0 11 1½
	John Wood, late Mrs. Tempest's Heirs - - - - -	0 8 6¾
	Thomas Terry, late Walter Water's Heirs - - - - -	0 13 0
	Sir Godfrey Webster, Baronet - - - - -	3 0 0
	James Smith, late John Woodham's - - - - -	1 2 6
	The Heirs of ——— Weekes - - - - -	1 2 4½
	William Dunk, late Edward Knight - - - - -	1 8 4
	Thomas Proctor, late James Lamb's Heirs - - - - -	5 5 0
	£	132 6 1½

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
RESEARCH REPORT

NO. 1000  
BY  
J. H. GOLDSTEIN AND  
R. F. SCHNEIDER

NUCLEAR MAGNETIC RESONANCE  
SPECTROSCOPY OF  
POLYMER SOLUTIONS  
I. POLYETHYLENE  
IN TOLUENE

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