



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. liii.

An Act for improving the Drainage of the Lands lying in the *North Level*, Part of the Great Level of the Fens called *Bedford Level*, and in *Great Portsand* in the Manor of *Crowland*, and for providing a Navigation between *Clows Cross* and the *Nene Outfall Cut*. [29th May 1830.]

WHEREAS an Act was passed in the Fifteenth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for settling the Drainage of the Great Level of the Fens called Bedford Level*, whereby, after reciting that certain Moors, Marshes, Fenny and Low surrounded Grounds, called the Great Level of the Fens, bounded and described as in the said Act mentioned, were undertaken to be drained by *Francis* then late Earl of *Bedford*, who was to have for his Recompence Ninety-five thousand Acres of the said Grounds; and that the said *Francis* late Earl of *Bedford*, and *William* then Earl of *Bedford*, his Son and Heir, with their Adventurers and Participants, had proceeded in the completing and finishing the said Works; it was amongst other Things enacted, that the said *William* Earl of *Bedford* and the Adventurers and Participants of the said Earl *Francis* and Earl *William*, their Heirs and Assigns, should be a Body Politic and Corporate in Deed and Name, and have Succession for ever by the Name of the Governor, Bailiffs, and Commonalty of the Company of Conservators

15 C.2. c.17.

[Local.]

15 T

of

of the Great Level of the Fens, which Corporation should consist of One Governor, Six Bailiffs, Twenty Conservators, and Commonalty; and that the said Governor, Bailiffs, and Conservators should and might lay Taxes from Time to Time upon the said Ninety-five thousand Acres only, and do all other Things in order to the Support, Maintenance, and Preservation of the said Great Level and Works made and to be made: And whereas another Act was passed in the Twentieth Year of the Reign of His said late Majesty King *Charles* the

20 C.2. c. 8. Second, intituled *An Act for the taxing and assessing of the Lands of the Adventurers within the Great Level of the Fens*; whereby, it was amongst other Things enacted, that all Taxes thereafter to be imposed for the Maintenance and Preservation of the said Great Level were appointed and declared to be from Time to Time assessed and taxed by the said Governor, Bailiffs, and Conservators, or their Successors, by gradual and proportionate Acre Taxes, as therein mentioned, and by and according to certain Schedules therein directed to be made: And whereas the said Great Level called *Bedford Level* hath been long since and is now divided into and distinguished by the several Names of the *North Level*, the *Middle Level*, and the *South Level*: And whereas another Act was passed in the Twenty-seventh

27 G.2. c. 19. intituled *An Act for discharging the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens commonly called Bedford Level, from a Debt due to the Duke of Bedford and Earl of Lincoln; and for enabling the Proprietors of Lands in the North Level, Part of the said Great Level, to raise Money to discharge the Proportion of the said North Level in the Debts of the said Corporation, and for ascertaining and appropriating the Taxes to be laid on the said North Level, and for the more effectual draining and preserving the said North Level, and divers Lands adjoining thereto, in the Manor of Crowland, whereby, after reciting the said Acts passed in the Fifteenth and Twentieth Years of the Reign of the said late King Charles the Second, and that the several Banks, Rivers, Sewers, and Works of the said North Level were become so greatly decayed and ruinous that great Part of the Lands in the same Level had lately been very frequently flooded; and that the Lands called *Portsand* otherwise *Great Porsand*, Parcel of the Demesnes belonging to and lying within the Manor of *Crowland*, in *South Holland* in the County of *Lincoln*, thereafter bounded and described, were subject also to be frequently flooded; and that the said last-mentioned Lands adjoined to the said *North Level* on the North Part thereof, and lay convenient to be drained therewith; and that it would be for the mutual Benefit of the Proprietors thereof, and of the Proprietors of the Lands within the said *North Level*, to join in one common Drainage; it was (amongst other Things) enacted and declared, that all the Money which should arise or be produced by the Taxes chargeable by virtue of and under the said Acts of the Fifteenth and Twentieth Years of King *Charles* the Second, or either of them, upon the Residue of the taxable Lands within the said *North Level* which should not be exonerated by the Purchase of the said Taxes, as therein provided, and all other the Rents and Revenues arising and payable to the said Corporation by, from, or out of the said *North Level* or any Part thereof, should*

from

from thenceforth be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and about the several Banks and Works of the said Level in the said now reciting Act specified; and it was further enacted and declared, that the Waters of the Five several Districts or Divisions into which the several Lands and Grounds intended to be drained under the Powers and Authority of the said now reciting Act were thereby divided should run and be conveyed to Sea in, by, and through the several Rivers and Drains therein particularly mentioned; and it was further enacted and declared, that the Waters of the said several Districts or Divisions should run or be conveyed to Sea in, by, and through the several Rivers or Drains therein mentioned and appointed, without any Let, Hindrance, Obstruction, or Controul of the said Governor, Bailiffs, and Commonalty, or their Successors, in any Manner, or under any Right whatsoever, or of the Commissioners for putting the said now reciting Act into execution, under any Pretence whatsoever, otherwise than as thereafter mentioned; and it was further enacted, that the Commissioners thereby nominated and appointed, and such other Commissioners as should thereafter succeed them, or be nominated or appointed, elected or chosen, in their or any of their Steads, should from Time to Time assess, rate, tax, and charge all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the Lands and Grounds situate and being within the said several Districts or Divisions thereinbefore mention'd and described, or any of them, (except *Great Burrough Fen Common*, otherwise *Peterborough Great Fen Common*, the Common then called the *Four Hundred Acre Common*, in *Alderlands*, that Part of *Sutton Common* which lay South of *Old South Eau*, and certain other Commons, Lands, and Closes therein mentioned,) by and with equal and proportionable yearly Rates, Taxes, or Sums of Money, at the Discretion of the said Commissioners, or the major Part of them that should be present at any such yearly General Meeting as therein mentioned; so that after the Expiration of the Term of Four Years therein mentioned the said Rates or Taxes did not exceed in any One Year Sixpence for every Acre of the Lands and Grounds comprised within all the said several Districts or Divisions (except as thereinbefore excepted), and so that no Part of the said Lands and Grounds should be charged with any greater or lesser Rate or Tax than the rest of the said Lands were or should be charged with; which said Rates, Taxes, and Sums of Money should be paid by the respective Owners or Occupiers of the said Lands or Grounds on the several Days therein mentioned in every Year; and it was further enacted and declared, that the Taxes and Sums of Money so to be assessed, rated, raised, and received as aforesaid, and also all Sums of Money to be borrowed and received on the Credit thereof in manner thereafter mentioned, should from Time to Time be applied and disposed of by the Commissioners for putting the said now reciting Act into execution, or the major Part of them who should be present at any General Meeting, after defraying the Charges of the said Act, for and towards the general Works of draining and preserving all the said Districts or Divisions therein particularly specified and set forth, and in discharging the Wages and Salaries of Officers and other necessary Expences; and it was also provided,

provided, enacted, and declared, that a sufficient Part of the said Rates and Taxes, and the Money to be borrowed on the Credit of the said now reciting Act, should, in the first place, after paying and defraying the Charges of the said Act, be applied and disposed of in certain Works therein specified and set forth, and afterwards in or about such of the other Works thereinbefore mentioned as the said Commissioners, or the major Part of them present at any such General Meeting, should in their Discretion think most necessary to be done for answering the Purposes of the said now reciting Act; and it was also provided, enacted, and declared, that the Dam thereinbefore directed to be made in the Drain called *Old Wryde* should not be thereafter removed or taken away, but that the said Drain called *Old Wryde* should always thereafter continue and be dammed up at the Place therein mentioned, and that the other Dams thereinbefore directed to be made should not, after so made, be removed or taken away; and it was provided and further enacted and declared, that nothing in the said now reciting Act contained should extend or be construed to extend to give the Commissioners for putting the said Act into execution any Right, Power, or Authority to exclude the thereinbefore excepted Farms, Lands, and Commons, or any of them, by any Dams or other Works to be made, from the Use of the several Public Drains thereafter to be made use of for the general draining of the First, Second, and Fourth Districts respectively; and it was provided, enacted, and declared, that no Cut, River, Drain, or Outlet, Mill, Engine, or other Device, should be made, cut, set up, used, or employed, for the throwing, draining, or conveying away the Waters of any particular District or Division, under the Authorities aforesaid, but such only as should lead, throw, or convey the Waters of each District or Division respectively into the particular Rivers or Drains thereinbefore particularly allotted and appointed for the conveying the Waters of each of the said Five Districts or Divisions respectively into and through *Shire Drain* to Sea; and that no Mill, Engine, or other Device should be worked, used, or employed for the throwing of the Waters from any of the said Districts or Divisions at any Time when the Waters in the said River *Old South Eau* should be more than Four Feet above the Level of the Soil in the *North Level* near the said River opposite to *Whaplode Common*; and it was further enacted and declared, that if any Mill, Engine, or other Device should be worked, used, or employed for the throwing, draining, or conveying away the Waters from any particular District or Division contrary to the Proviso thereinbefore last contained, it should be lawful for the Commissioners for putting the said now reciting Act into execution, or any Two or more of them, upon such Proof as therein mentioned, by Warrant under their Hands, to order and cause the going or working of every such Mill, Engine, or other Device to be stopped and discontinued till the said River *Old South Eau* should be so abated as not to be Four Feet above the Level aforesaid; and when and so soon as the Waters should be so abated, it should be lawful for the said Commissioners, or any Two or more of them, to give Authority under their Hands for the working of the Mill or Mills, Engine or Engines, that should have been so stopped as aforesaid; and it was further enacted, that

the said Commissioners, or the major Part of them who should be present at their yearly General Meeting, should then and there yearly elect and choose, nominate and appoint, a Committee of Ten at least of the said Commissioners as therein mentioned, to examine, settle, and adjust the Accounts therein referred to, and report their Opinion thereof to the said Commissioners at any subsequent General Meeting; and the Treasurers, Collectors, or Receivers of the said Rates and Sums of Money so to be raised as therein aforesaid for the said general Works of draining were thereby required to attend the Committee so to be appointed, or any Five or more of them, with their several Books of Account, and all Vouchers for the same, at such Times and Places as the said Committee or any Five or more of them should appoint; and such Accounts and Vouchers being considered and examined by such Committee, and Oath being made of the Truth thereof as therein mentioned, should be certified and reported by the said Committee or any Five or more of them, with their Opinion thereof, to the said Commissioners at any subsequent General Meeting; and it was provided, enacted, and declared, that the Commissioners for the Time being for putting the said now reciting Act in execution, should at all Times thereafter make, support, and maintain the Banks of *Shire Drain* therein mentioned in as good and substantial Plight and Condition as the best Part of the Banks of the said River *Old South Eau* within the *North Level* then were or at any Time thereafter should be made, supported, and maintained, and should also at all Times thereafter make, support, and maintain the Sluice, Flood Gates, and Doors at *Clows Cross*, therein mentioned, of such sufficient Strength and Condition as to stop, resist, and uphold the Land Waters in case any Breach or overflowing of the Banks of *Shire Drain* aforesaid should at any Time happen by means of such Land Waters; and it was also provided and further enacted and declared, that if at any Time thereafter any Breach or overflowing of the Banks of *Shire Drain* aforesaid should happen by means of the Land Waters running out of and off the *North Level* aforesaid into *Shire Drain* aforesaid, then, upon Notice given as therein mentioned, the Flood Gates or Doors of *Clows Cross* aforesaid should be immediately shut down by such Officer; and in case of such Officer's Absence from his Place of Residence, and in default of such Officer's shutting down the said Flood Gates or Doors immediately after such Notice, it should be lawful for the Owner or Proprietor who should have given such Notice to shut down the same, or cause the same to be shut down; and the said Doors or Flood Gates, when so shut down, should continue shut down until such Breach of Bank or overflowing should be repaired, stopped, or discontinued; and it was also provided and further enacted and declared, that the said Commissioners, and every of them, before he or they should take upon himself or themselves the Execution of any of the Powers or Authorities thereby given them (other than the Administration of the Oath or solemn Affirmation then following to one another), should take the Oath, or being of the People called Quakers the solemn Affirmation, then following, and set forth in the Words and Form therein mentioned; which Oath or Affirmation any One of the said Commissioners was thereby empowered to administer: And

[*Local.*]

15 U

whereas

- whereas another Act was passed in the Eleventh Year of the
 11 G.3. c.78. Reign of His late Majesty King George the Third, intituled *An Act to enable the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called Bedford Level to complete and maintain the principal Banks and Works necessary to the well draining and preserving of the North Level, Part of the said Great Level, and for laying Taxes upon the Lands within the said North Level, and on divers Lands adjoining thereto, in the Manor of Crowland*, whereby it was (amongst other Things) enacted, that certain Taxes thereby charged, and to be paid as therein mentioned, and also all and every Sum and Sums of Money to be raised by Sale or Mortgage of the said Taxes so thereby imposed, and to be borrowed and received upon the Credit of the said now reciting Act, or of the said Taxes thereby imposed, in manner thereinafter directed, should, together with the Money arising by the Tax and a Quarter fixed upon such Part of the said Ninety-five thousand Acres as lay within the said *North Level*, and all other the Rents and Revenues arising and payable to the said Corporation by or from the said *North Level* or any Part thereof, should be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and towards the Charges of the several Banks and Works of the said *North Level* only, in the said Act of the Twenty-seventh Year of King George the Second and thereafter mentioned; (that is to say,) amongst other Things, for and towards repairing and strengthening the Banks of *Shire Drain*, scouring out the Outfall, and repairing, altering, removing, and rebuilding *Gunthorpe Sluice*:
 And whereas another Act was passed in the Thirteenth Year of the
 13 G.3. c.60. Reign of His said late Majesty King George the Third, intituled *An Act for draining and preserving certain Lands and Grounds in the Parishes of Tid Saint Giles and Newton in the Isle of Ely in the County of Cambridge, and in Tid Saint Mary's in the County of Lincoln*, whereby it was (amongst other Things) enacted, that it should be lawful for the Commissioners of the said *North Level*, appointed or to be appointed by virtue of the said Act of the Twenty-seventh Year of His said late Majesty King George the Second, to open and make a certain Cut, then some Time since begun, called *Kinderley's Cut*, from the South End of the *West Marsh* or the *River's End* therein mentioned, through the *Common Salt Marsh* in the Parish of *Tid Saint Giles* aforesaid, to near *Buckworth's Sluice*, and to continue the said Cut along the said *Salt Marsh* in the Parish of *Tid Saint Mary's* aforesaid, at or near the Outfall of new *Gunthorpe Sluice*, and also to make such Banks and Dams as therein mentioned: And whereas
 36 G.3. c.73. another Act was passed in the Thirty-sixth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for laying an additional Tax upon the Lands within the North Level, Part of the Great Level of the Fens called Bedford Level, and on Portsand otherwise Great Porsand, in the County of Lincoln, and for the further Support and Preservation of the principal Banks and Works of the said North Level*, whereby it was (amongst other Things) enacted, that certain Taxes thereby charged, and to be paid as therein mentioned, and also all and every Sum and Sums of Money to be raised by Sale or Mortgage of the said Taxes so thereby imposed, and to be borrowed and received on the Credit of
 the

the said now reciting Act, or of the said Taxes thereby imposed, in manner hereinafter directed, should be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and towards the several Works for the Preservation of the said *North Level* to which the then present Revenues of the said Corporation arising from the said *North Level* were applicable by virtue of the said Acts of the Twenty-seventh Year of His late Majesty King *George* the Second, and the Eleventh Year of His then present Majesty, or any other Act, in such Manner as the Committee to be from Time to Time elected and appointed out of the said Commissioners of the said Five Districts by the said Act of the Eleventh Year of His then present Majesty should from Time to Time direct, as the said Committee were by the said last-mentioned Act empowered in respect to the Application of the Taxes charged by that Act: And whereas another Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for effecting the Drainage and Improvement of the Lands and Grounds lying in the late Great Common in Sutton Saint Edmund's, within the Parish of Sutton Saint Mary otherwise Long Sutton, in the County of Lincoln; and for authorizing the Drainage and Improvement of the Lands and Grounds lying in the late Little Common in Sutton Saint Edmund's aforesaid, under certain Restrictions;* whereby (amongst other Things) certain Commissioners were appointed and authorized to carry the said now reciting Act into execution, for the Drainage of the Lands and Grounds therein mentioned, and to assess, tax, and charge the said Lands and Grounds with certain yearly Acre Rates or Taxes, and to exercise certain Powers for the Recovery thereof, as therein mentioned: And whereas another Act was passed in the Fifty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for draining, inclosing, and improving the Lands called Borough Fen Common, and the Four Hundred Acre Common, in the County of Northampton, and for forming the same into a Parish, to be called Newborough, and for building and endowing a Church for such Parish,* whereby (amongst other Things) certain Commissioners were appointed and authorized to carry the said now reciting Act into execution, for the Drainage of the Lands and Grounds therein mentioned, and to assess, rate, tax, and charge the said Lands and Grounds with a yearly Tax, and to exercise certain Powers for the Recovery thereof, as therein mentioned, and were also authorized to let certain Banks and Fisheries therein mentioned, and to receive the Rents and Profits thereof, and to apply the same for and towards the Purposes of the said now reciting Act: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for improving the Outfall of the River Nene, and the Drainage of the Lands discharging their Waters into the Wisbech River, and the Navigation of the said Wisbech River from the Upper End of Kinderley's Cut to the Sea, and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea,* whereby it was (amongst other Things) enacted, that certain Persons therein respectively named and referred to should be and they were thereby appointed Commissioners for the Time being for executing the said Act, and that the said Commissioners should be and they were thereby

49G.3.c.119.

52G.3.c.143.

7 & 8 G. 4.
c. 85.

10G.4.c.104.

thereby incorporated by the Name and Style of “ The Commissioners of the *Nene Outfall* ;” and it was further enacted, that it should be lawful for the said Commissioners for executing the said now reciting Act, and they were thereby required, to set out, make, and complete a new Cut or Channel for the Passage of the Waters of the said *Wisbech* River to the Sea, the said new Cut or Channel to join the said Cut called *Kinderley’s Cut* at the North or lower End thereof, and to extend therefrom unto or near unto a certain Place called *Crab Hole*, lying in the Estuary or Bay called *Sutton Wash*, and to be in the Direction thereafter mentioned, and also to make and complete such other Works as therein mentioned: And whereas another Act was passed in the Tenth Year of the Reign of His said Majesty King *George* the Fourth, intituled *An Act for altering, amending, and enlarging the Powers granted by an Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, for improving the Outfall of the River Nene, and the Drainage of the Lands discharging their Waters into the Wisbech River, and the Navigation of the said Wisbech River from the Upper End of Kinderley’s Cut to the Sea, and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea*, whereby it was (amongst other Things) enacted, that it should be lawful for the said Commissioners of the *Nene Outfall*, and they were thereby authorized and required, to alter, vary, extend, improve, and complete the Line of the said intended new Cut or Channel upwards from the Slipway at *Sutton Wash* therein mentioned, and to carry and continue the said Line upwards from the said Slipway through the intervening open and inclosed Marshes, and across the Drain called *Shire Drain*, so as to communicate with and receive the Waters from the said *Kinderley’s Cut* at or near to the before mentioned Sluice called *Buckworth’s Sluice*; and it was further enacted, that it should be lawful for the said Commissioners of the *Nene Outfall*, and they were thereby required, to remove, take down, and carry away, and make use or dispose of, all and singular the Materials, Implements, and Effects of or then belonging to the said hereinbefore mentioned Sluice called *Gunthorpe Sluice*, and the Sluice House and Buildings appertaining thereto, and to construct and make such new Sluice and Sluice House, Drains, and other Works, at such other Place or Places as to the said Commissioners for executing the said recited Act passed in the Twenty-seventh Year of the Reign of His Majesty King *George* the Second might seem necessary and expedient, to communicate with the said new Cut or Channel at or near to its Junction with *Kinderley’s Cut* as aforesaid; but that the said new Sluice, and Sluice House, Drains, and other Works last mentioned, with the Materials thereof, should be vested in the said Commissioners for the *North Level* and *Portsand* for the Time being, who should have the full and sole Property in and Controul and Authority over the same, and the exclusive Right to direct, manage, and superintend the Drainage, and the Passage of the Waters into, through, and out of the same Sluice, Drains, and other Works, into, from, and through the said intended new Cut or Channel, as were then enjoyed by them in respect of the said then present *Gunthorpe Sluice*, into or out of the then present Channel of the *Wisbech* River; and it was further enacted, that it should be lawful for the said

Commissioners of the *North Level* and *Portsand*, and they were thereby required, to repay to the said Commissioners of the *Nene Outfall* all the Costs and Charges of taking down and removing the said *Gunthorpe Sluice*, and the Sluice House and Buildings appertaining thereto, (after deducting the Value of the old Materials thereof,) and of purchasing any Lands, and of constructing the said new Sluice and other Works thereto appertaining, save and except the Sum of Two thousand Pounds agreed to be paid as therein mentioned by the said Commissioners of the *Nene Outfall*; and that the Amount of such Costs and Charges should be ascertained and verified in the Manner in the said now reciting Act mentioned, and being so ascertained and verified should be determined and paid accordingly: And whereas upon the passing of the said recited Act of the Thirteenth Year of the Reign of the said late King *George* the Third, the Commissioners of the said *North Level*, in pursuance of the Powers to them given by the said Act, proceeded to open and shortly afterwards completed the said Cut called *Kinderley's Cut*, which by the same Act they were directed and authorized to open and make, with the Banks and Dams thereof therein mentioned: And whereas upon the passing of the said recited Act of the Seventh and Eighth Years of the Reign of His said Majesty King *George* the Fourth, the Commissioners of the said *Nene Outfall*, in pursuance of the Powers given to them by the said Act, proceeded to make the said Cut called the *Nene Outfall Cut*, which by the same Act they were directed and authorized to make, with the Banks and other Works thereof; and the said Cut, Banks, and Works are now far advanced to Completion, according to the improved Line thereof authorized by the said recited Act of the Tenth Year of the Reign of His said Majesty King *George* the Fourth; and pursuant to the said last-mentioned Act, the said Commissioners of the *Nene Outfall*, in the Progress of the said Works, have carried the said *Nene Outfall Cut* across the said Drain called *Shire Drain*, and have thereby cut off the Passage of the Waters by the said *Shire Drain* into and through the said Sluice called *Gunthorpe Sluice*, and thereby to Sea; and in lieu of the said *Gunthorpe Sluice* have proceeded to construct and have nearly completed a new Sluice, to be called the *North Level Sea Sluice*, and other Works in the West Bank of and communicating with the said *Nene Outfall Cut* near to its Junction with the said *Kinderley's Cut*: And whereas the Drainage of the Five Districts into which the said *North Level* and *Great Portsand* are divided by the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second will be much improved by the said *Nene Outfall Cut* and *North Level Sea Sluice*, so respectively authorized to be made as aforesaid; but by reason of the circuitous Course through high Grounds and the inadequate Dimensions of the said *Shire Drain*, through which the Waters of the said Five Districts are by the said last-mentioned Act required to be conveyed to Sea, and by reason of the general Insufficiency of the present Interior Drains of the said Five Districts, the Drainage of the said *North Level* and *Great Portsand* will not derive the full Benefit which the said new Cut and Sluice will be calculated to afford, and will still be imperfect and precarious, and it will be expedient to make a new Main Drain for conveying the Waters of the said Five Districts by a more direct and

[*Local.*]

15 X

perfect

perfect Course, from the said Place called *Clows Cross*, to and through the said new Sea Sluice, unto the said *Nene Outfall Cut*, and to make certain other Works, as hereinafter mentioned, and to improve the present and make some new Interior Drains within the said Districts respectively: And whereas the probable Expence of making and completing the said contemplated Main Drain, the said Sea Sluice, and the said other Works, will according to an Estimate thereof amount to the Sum of Ninety-two thousand five hundred and seventeen Pounds, or thereabouts, for the Payment of which the Taxes and other Revenues now respectively authorized to be charged and raised upon and from the Lands and Grounds within the said *North Level* and *Great Portsand* are insufficient; and the Commissioners of and for the said *North Level* and *Great Portsand* are not by any of the said recited Acts empowered to execute the said contemplated Main Drain, Sea Sluice, and other Works: And whereas not only the Lands and Grounds within the said Five Districts of the said *North Level* and *Great Portsand*, now chargeable with Rates and Taxes for the Maintenance of the present Drainage thereof, but also the Lands and Grounds now exempted from the Payment of such Rates and Taxes, will be materially benefited by the said contemplated Works, and be thereby relieved from a great Part of their present Expences of Drainage; and it is therefore reasonable that all the said Lands and Grounds should respectively contribute to the Expence of making and completing the same Works in the Proportions and upon the Terms hereinafter specified: And whereas, for better executing the said intended Works, and for effectually improving and maintaining the Drainage of the said several Lands and Grounds, it is expedient to repeal so much of the said several Acts of Parliament of the Twenty-seventh Year of the Reign of the said late King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of the said late King *George* the Third, as is hereinbefore recited, and to alter, enlarge, and amend the Powers and Provisions of the same Acts respectively: And whereas it will be of great public Utility if a Navigation of Lighters and other small Craft shall be allowed upon the said intended Main Drain, under the Authority and Controul of the said Commissioners of the said *North Level* and *Great Portsand*, and subject to such Restrictions and Regulations as are hereinafter mentioned: And whereas the several Purposes aforesaid cannot be effected without the Aid of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much and such several Parts of the said hereinbefore recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second as is and are hereinbefore expressly recited shall be and the same is and are hereby repealed from and after the passing of this Act.

So much of
27 G.2. c.19.
as has been
herein re-
cited re-
pealed;

as also cer-
tain Parts of
11 G.3.c.78.
and
36 G.3.c.73.

II. And be it further enacted, That so much and such several Parts of the said hereinbefore recited Acts respectively passed in the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third as is and are hereinbefore expressly recited,

recited, so far as the same is or are applicable to repairing and strengthening the Banks of *Shire Drain*, scouring out the Outfall, and repairing, altering, removing, and rebuilding *Gunthorpe Sluice*, shall be and the same is and are hereby repealed from and after the passing of this Act.

III. And be it further enacted, That all and singular the Taxes, Rents, and Revenues now respectively arising and payable, and hereafter to arise and become payable, to the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said Great Level of the Fens called *Bedford Level*, or to the said Governor, Bailiffs, and Conservators, by, from, or out of the said *North Level*, or by, from, or out of the said *North Level* and *Great Portsand*, or any Part thereof respectively, under the Authority of the said hereinbefore recited Acts respectively passed in the Fifteenth and Twentieth Years of the Reign of His said late Majesty King *Charles* the Second, as limited by the said Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and under the Authority of the said Acts respectively passed in the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, or under the Authority of any of the same Acts, shall henceforth, and from Time to Time, be applied and disposed of by the said Governor, Bailiffs, and Conservators, and their Successors, in and about the several Banks and Works of the said *North Level* and *Great Portsand* hereinafter mentioned; (that is to say,) to raise, make good, maintain, and keep in repair the North Bank of *Moreton's Leam* from *Peterborough Fengate* to *Guyhirn*, the Banks of the Counter Drain from *Guyhirn* to the East End of the *Severals* in *Standground*, the East Bank of *Cordyke* from *Moreton's Leam* to the West End of *Eye Town*, the Bank reaching from the *Folly Bank* to *Peakirk Town*, the South Bank of the River *Welland* from the *Folly Bank* to the West Dam at the End of *Crowland Town*, the South Bank of the *Old South Eau* from the said West Dam to *Clow's Cross*, the West Bank of the *Old South Eau* from *Clow's Cross* to *Guyhirn*, and the North Bank of the *Old South Eau* from the *Lot Mill* in the First District to *Dowdsdale*, respectively under the Superintendence and Direction of the Committee elected and appointed, and to be from Time to Time elected and appointed, out of the said Commissioners for the said Five Districts of the said *North Level* and *Great Portsand*, in the Manner directed by the said recited Act passed in the Eleventh Year of the Reign of the said late King *George* the Third; and the said Taxes, Rents, and Revenues, or any Part thereof, shall not be applied or disposed of to or for any other Purpose whatsoever.

Future Application of Taxes, Rents, and Revenues payable to the Bedford Level Corporation from the North Level.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to lessen, prejudice, or invalidate any Security or Securities already given or hereafter to be given by the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, of or upon any of the said Taxes, Rents, or Revenues last hereinbefore mentioned, or any of them, pursuant to any of the Powers given to the said Governor, Bailiffs, and Commonalty, or Governor, Bailiffs, and Conservators, by any of the said Acts hereinbefore recited, or any of the Remedies given by the same Acts or any of them for recovering the
Principal

Securities of the Corporation Creditors on the North Level Funds not to be invalidated.

Principal and Interest Monies respectively due or to become due upon any such Security or Securities.

Commissioners under the 27 G. 2. c. 19. to be Commissioners for this Act also.

V. And be it further enacted, That the several Persons for the Time being respectively nominated, appointed, elected, and chosen, and duly qualified and authorized to act as Commissioners, pursuant to the said recited Act of the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, shall be and they are hereby appointed Commissioners for executing as well the said last-mentioned Act as also this Act, by the Name and Designation of “*The North Level Commissioners.*”

No Person holding a Place of Profit to act as a Commissioner.

VI. Provided always, and be it further enacted, That no Person holding the Office of Treasurer, Clerk, Engineer, Surveyor, Receiver, or Collector, or any other Office or Place of Profit, or being concerned as a Contractor either directly or indirectly under this Act or under the said *North Level Commissioners*, shall act as a Commissioner in the Execution of the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second or of this Act, during the Time in which such Person shall hold such Office or Place of Profit, or be concerned as such Contractor as aforesaid.

Commissioners to take an Oath or Affirmation.

VII. And be it further enacted, That every Person, before he shall act as a Commissioner in the Execution of the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second or of this Act (except for the Purpose of receiving the Oath or Affirmation next hereinafter mentioned), shall at some Meeting of the said *North Level Commissioners* take the following Oath, or (being a Quaker) make the following Affirmation; which Oath or Affirmation any One of the said *North Level Commissioners* present at such Meeting is hereby empowered to administer or receive; (that is to say,)

Oath.

‘ I DO swear, [*or do affirm, as the Case may be,*] That I am duly
 ‘ qualified and authorized, according to the best of my Knowledge
 ‘ and Belief, to act as a *North Level Commissioner* in the Execution
 ‘ of Two several Acts of Parliament passed respectively in the
 ‘ Twenty-seventh Year of the Reign of His Majesty King *George*
 ‘ the Second, and the Eleventh Year of the Reign of His Majesty
 ‘ King *George* the Fourth, for the Drainage of the Lands lying
 ‘ within the *North Level* and *Great Portsand*; and that I will
 ‘ faithfully, impartially, and honestly, according to the best of my
 ‘ Skill and Judgment, and without any Favour or Prejudice, execute
 ‘ and discharge the several Trusts and Duties vested in me as such
 ‘ Commissioner agreeable to the Provisions of the said Acts.

‘ So help me GOD.’

Oath or Affirmation not required to be taken again by any Commissioner,

VIII. Provided always, and be it further enacted, That it shall not be necessary for any Person, having once taken the said Oath or made the said Affirmation in the Manner and Form hereinbefore mentioned, and having acted as a *North Level Commissioner* after having taken or made the same, to take such Oath or make such Affirmation again on any subsequent Nomination, Appointment,
 Election,

Election, or Choice of such Person to be a Commissioner pursuant to the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second, unless such Person shall have ceased to be or act as such Commissioner for the Space of Two successive Years. unless he has ceased to act for Two successive Years.

IX. And be it further enacted, That if any Person, not being duly appointed or authorized and duly qualified according to the Provisions of the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second and of this Act, or being disqualified to act as a Commissioner for any other Reason, or not having taken the Oath or made the Affirmation hereinbefore directed, shall act as a Commissioner in the Execution of the said recited Act or of this Act (except for the Purpose of receiving the said Oath or Affirmation), or if any Person not being duly qualified according to the Provisions aforesaid shall appoint or vote for the Appointment of any Person to act as such Commissioner, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered, with Double Costs of Suit, by any Person who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*; and in any Action or Suit for the Recovery of the said Sum it shall only be necessary for the Plaintiff to prove that the Defendant acted as such Commissioner, or appointed or voted for the Appointment of any Person to act as such Commissioner, and a Verdict shall be found against the said Defendant, unless he shall prove in his Defence that he was at the Time of so acting or appointing or voting as aforesaid duly qualified so to act or appoint or vote, or had taken the said Oath or made the said Affirmation, as the Case may be, according to the true Intent and Meaning of this Act. Penalty on Persons acting, not being qualified, or not having taken the oath.

X. Provided always, and be it further enacted, That no Disability to act in the Execution of the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second or of this Act shall be occasioned to any of the said *North Level* Commissioners by reason of the Death, or Refusal or Neglect to act, of any Commissioner, or by reason of any Person who shall act as such Commissioner being at the Time of so acting disqualified to act, or by reason or means of any Neglect or Omission in any Party or Parties to appoint a Commissioner or Commissioners, or a sufficient Number of Commissioners, for the Purposes of the said recited Act or of this Act; nor shall any Act or Proceeding of the said *North Level* Commissioners be impeached or rendered or deemed to be invalid by any of the Reasons aforesaid, or by reason of any Person not duly authorized to act as a Commissioner having acted or concurred therein, so that a sufficient Number of Commissioners duly authorized to act and concur shall have acted and concurred in such Act or Proceeding. Disability of Commissioners not to be occasioned, nor their Acts impeached, by the Default of others.

XI. And be it further enacted, That the said *North Level* Commissioners shall hold a General Meeting at the *Duke's Head* Inn in *Thorney* in the *Isle of Ely* on the second *Monday* next after the passing of this Act, at Ten of the Clock in the Forenoon, for the Meetings of the Commissioners.

[Local.]

15 Y

Purposes

Purposes of the said recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and of this Act; and shall also hold a General Meeting for the Purposes aforesaid on the first *Monday* in the Month of *July* yearly, agreeable to the Directions of the said recited Act last mentioned; and shall and may also hold other General, Special, and Adjourned Meetings, for executing the said recited Act last mentioned, and this Act, and the several Powers and Authorities vested in them by the same or any other Act or Acts, from Time to Time, and at any Time or Times, and Place or Places, when and as they shall see Occasion.

Notice of Meetings to be given.

XII. Provided always, and be it further enacted, That Fourteen Days Notice at the least shall be given of every Meeting of the said Commissioners (excepting only the First General Meeting and Meetings by Adjournment) in One or more of the Weekly Newspapers usually circulated in the *Isle of Ely*, and in One or more of the Weekly Newspapers usually circulated in the County of *Lincoln*, and the Purpose of every Special Meeting of the said Commissioners shall be stated in the Notice to be so given thereof as aforesaid.

Appointment of a Chairman.

XIII. And be it further enacted, That the said Commissioners at all their said respective Meetings shall appoint, by common Consent or by Ballot, One of themselves to be a Chairman, who shall be entitled to vote thereat as a Commissioner, and shall also, in case of an Equality of Votes, have the casting Vote.

Powers to be exercised by a Majority, there being a certain Number of Commissioners present.

XIV. And be it further enacted, That all the Powers and Authorities hereby vested in the said *North Level* Commissioners, for the Purposes as well of the said recited Act passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second as of this Act, (save and except in Cases in which it is by this Act otherwise directed,) shall and may be exercised by the major Part in Number of the said Commissioners present at their respective Meetings; provided that no Order, Resolution, or Proceeding of the said Commissioners at their said respective Meetings (except only an Order for the Adjournment thereof, and except in Cases in which it is by this Act otherwise directed,) shall be valid unless there shall be Twenty-one at the least of the said Commissioners present at such respective Meetings; and all Acts, Proceedings, and Orders of the said Commissioners, in which it is by the said hereinbefore recited Acts of the Twenty-seventh Year of the Reign of the said late King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of the said late King *George* the Third, or any of them, required that Forty of the said Commissioners shall be present and concur, shall be valid and effectual to all Intents and Purposes whatsoever, if there shall be Forty of the said Commissioners present, and the major Part in Number of the said Commissioners present shall concur in such Acts, Proceedings, and Orders respectively; any thing in the said last-mentioned Acts or any of them contained to the contrary thereof notwithstanding.

Orders of Commission.

XV. And be it further enacted, That all Orders, Resolutions, and Proceedings of the said *North Level* Commissioners at their respective Meetings

Meetings shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman and Four or more others of the said Commissioners assembled at such respective Meetings; and that such Orders, Resolutions, and Proceedings, being so entered and signed as aforesaid, shall be deemed and taken to be original Orders, as fully and effectually as if the same were signed by all the said Commissioners there assembled, or by the major Part of them; and the said Book or Books, and all other the Books to be kept by or for the said Commissioners, pursuant to the Directions of this Act, shall and may be produced and read in Evidence in all Courts whatsoever, and the Signatures of the said Commissioners thereto respectively shall be Evidence of their being such Commissioners, and of their acting and being qualified to act as such at the Time of such Orders, Resolutions, and Proceedings being respectively made or had as aforesaid.

ers to be entered and signed.

XVI. And be it further enacted, That the said *North Level* Commissioners shall have Power and Authority, at their several Meetings, from Time to Time to make such Orders, Resolutions, Bye Laws, Rules, and Regulations as they shall think proper for the good Government of themselves and of their Committee, and of their Officers, Servants, Agents, and Workmen, in the Execution of the said recited Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second and this Act, or either of them, and to impose and inflict such reasonable Fines and Penalties, (not being inconsistent with the General Statutes of this Part of the United Kingdom, or with the several Powers and Authorities of the said Governor, Bailiffs, and Commonalty, or of the said Governor, Bailiffs, and Conservators, or with any of the Provisions of the said last-mentioned Acts or either of them,) upon all Persons who shall offend against any of such Bye Laws, Rules, and Regulations, as to the said Commissioners at their said several Meetings shall seem meet, not exceeding the Sum of Five Pounds for any One Offence; and all such Bye Laws, Rules, and Regulations, being reduced into Writing, and signed by the Chairman and Four or more others of the said Commissioners assembled at such respective Meetings at which such Bye Laws, Rules, and Regulations shall be respectively made, shall be printed and circulated, and shall be binding upon and be observed by all Persons concerned therein, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall have acted under the same and in conformity therewith.

Power of Commissioners at their Meetings.

XVII. And be it further enacted, That the Committee of Eighteen of the said *North Level* Commissioners from Time to Time elected pursuant to the said recited Act passed in the Eleventh Year of the Reign of the said late King *George* the Third shall be a Committee from Time to Time for executing the several Powers and Authorities by this Act granted to such Committee.

Committee under former Acts to be a Committee under this Act.

XVIII. And be it further enacted, That the said *North Level* Commissioners shall and they are hereby required, at their First General Meeting, and at their yearly General Meeting in every succeeding Year, to nominate and appoint, from and out of the said Committee elected

Appointment of Chairman and Deputy Chairman of Committee.

elected as aforesaid, a Chairman and Deputy Chairman of the said Committee for the Year then next ensuing.

Powers and
Proceedings
of the Com-
mittee.

XIX. And be it further enacted, That the said Committee shall and may meet at such Times and Places, and from Time to Time adjourn to such other Time, and to the same or such other Place, as they shall think fit; and the Chairman, or in his Absence the Deputy Chairman of the said Committee, or in the Absence of the said Chairman and Deputy Chairman then such Member of the said Committee as shall from Time to Time be nominated by the said Chairman, or on his Default then by the Deputy Chairman, shall be the Chairman of the said several Meetings of the said Committee, and shall be entitled to vote thereat, and shall also in case of an Equality of Votes have an additional and casting Vote; and all the Powers and Authorities by this Act granted to the said Committee shall and may be done by the major Part of them present at their respective Meetings, the whole Number present not being less than Five, and the said Chairman or Deputy Chairman, or such Nominee of One of them as aforesaid, being One of the said Number present; and all Orders and Proceedings of the said Committee at their several Meetings shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman of the said Meetings respectively, and the Entries so made and signed as last mentioned shall be deemed and taken to be Originals, and shall be admitted as Evidence in all Courts whatsoever; and the said Committee shall from Time to Time, for all the Purposes of this Act, obey and act in execution of the Orders and Directions of the said *North Level* Commissioners; and the said Committee shall (subject nevertheless at all Times to such Orders and Directions as last aforesaid) have the entire Management, Direction, Superintendence, and Controul of the Execution of all and singular the Works by this Act respectively authorized to be made and completed by the said *North Level* Commissioners, and of the Maintenance of all and singular the Works herein directed or authorized to be from Time to Time maintained by the said Commissioners, with full Power and Authority from Time to Time to enter into any Contract or Contracts with any Person or Persons for the Execution and Maintenance of the same Works or any of them, or any Part thereof respectively, and to take Security for the due Performance of any such Contract or Contracts, and to enforce the Performance thereof, and the Payment of any Penalty or Penalties for any Breach or Default therein, and also to employ and direct Agents, Assistants, and Workmen in and about the same Works respectively; and the said Committee shall also have Power, in the Intervals between the several Meetings of the said Commissioners, to remove any Clerk, Treasurer, Engineer, Surveyor, Collector, Receiver, or other Officer of the said Commissioners, for any Negligence, Misconduct, or Inability, and to appoint any other fit Person or Persons in the Stead of the Person so removed from the Service of the said Commissioners, or in the Stead of any such Officer who shall die in or quit the Service of the said Commissioners; but such Removals and new Appointments to be respectively made by the said Committee as aforesaid shall not continue longer than until the next yearly General Meeting of the said *North Level* Commissioners, when,
or

or sooner if the said Commissioners shall think fit, the same shall be respectively confirmed or annulled by the said Commissioners; and the said Committee shall also have Power and Authority, on behalf of the said Commissioners, to contract for the Purchase or Sale of any Buildings, Lands, or Tithes, and for any Compensation to be made or paid by the said Commissioners for any Damage that may be done or occasioned in the Execution of this Act, and also for the Purchase or Sale of any Materials or other Goods or Effects for and on the Account of the said Commissioners, and for the Purposes of this Act, or for the Use and Convenience of the said Works or any of them; and the said Committee shall also have full Power and Authority from Time to Time (subject nevertheless to such Orders and Directions as aforesaid) to order the Treasurer or Treasurers for the Time being of the said Commissioners to pay all or any Sum or Sums of Money which shall from Time to Time be required for the Execution or Maintenance of the said Works respectively, or any of them; and every such Order, together with the Receipt or Receipts of the Person or Persons to whom any Sum or Sums of Money shall be paid by virtue thereof, shall be a sufficient Authority and Discharge to such Treasurer or Treasurers for the Payment of the Sum or Sums of Money thereby ordered to be paid; and the said Committee shall and may do, execute, and perform all Acts, Matters, and Things whatsoever, necessary and expedient to be done in, about, touching, or concerning the said Works or any of them, which the said *North Level* Commissioners are by this Act authorized to do, or may otherwise lawfully do, save and except such only as are by this Act expressly restricted to be done by the said Commissioners at their First or yearly General Meetings, as herein mentioned, and subject nevertheless at all Times to the Orders, Directions, and Restrictions of the said Commissioners made or to be made at their said First or any other Meeting or Meetings.

XX. And be it further enacted, That the said Committee shall and they are hereby authorized and required, as often as they shall see Occasion, to examine, settle, and adjust the Accounts of the several Clerks, Treasurers, Collectors, Receivers, and other Officers of the said *North Level* Commissioners; and the said Clerks, Treasurers, Collectors, Receivers, and other Officers, and every of them, are and is hereby required to attend the said Committee, with their several Books and Accounts of Receipts and Payments, and all Vouchers for the same, at such Times and Places as the same Committee or any Five or more of them shall appoint; and such Accounts and Vouchers, being considered and examined by the said Committee, and Oath being made of the Truth thereof before them, if they shall so require, by the Clerk, Treasurer, Collector, Receiver, or other Officer accounting, (which Oath any One of the said Committee is hereby empowered to administer,) shall be certified and reported by the said Committee or any Five or more of them, with their Opinion thereon, as they shall see Occasion, to the said Commissioners at their several Meetings; and the said Commissioners are hereby empowered at such several Meetings to allow and pass such Accounts, or such Part or Parts of the same as they shall see just.

Committee
to examine
Accounts of
the Officers.

The yearly Accounts of the Commissioners to be kept in Two Sets of Books, and to be open to Inspection.

XXI. And be it further enacted, That the yearly Accounts of the said *North Level* Commissioners, and of their said Committee and Treasurers, shall from Time to Time be fairly entered in Two or more several Sets of Books to be kept for that Purpose, one Set whereof shall be kept with the said Commissioners or their Treasurer for the Time being, and another Set thereof in a Chest to be kept in the *Abbey House* in *Thorney* situate in the said *North Level*, under the Care of the Steward of his Grace the Duke of *Bedford*, his Heirs or Assigns for the Time being; and the said Books and each and every of them shall and may be inspected and perused, and Extracts taken therefrom, at any Time or Times, at seasonable Hours, by and at the Request of any of the Owners or Proprietors of any Lands or Grounds lying within the Boundaries of the said *North Level* and *Great Portsand* which shall from Time to Time be taxed in pursuance of this Act, on Payment of One Shilling for every such Inspection, and One Shilling more for every Hour employed in inspecting and perusing the same or taking Extracts therefrom as aforesaid.

Power to allow Expences of Committee.

XXII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, from and out of the Funds to be raised by them under the Authority of the said recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and this Act, from Time to Time to allow and pay all the reasonable Charges and Expences which shall from Time to Time be incurred by their said Committee at their several Meetings, or otherwise, in the Execution of this Act.

Power to appoint Officers.

XXIII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized, at any of their General Meetings, from Time to Time to appoint One or more Clerk or Clerks, Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, and One or more Collector or Collectors and Receiver or Receivers of the Taxes, Tolls, and other Monies to be levied by the Authority of this Act, and such other proper Officers, Agents, and Assistants as they shall from Time to Time think needful; and to remove, displace, or suspend them or any of them, and to appoint another or others in the Stead of him or them who shall be so removed or displaced, or in the Stead of him or them who shall die or cease to act; and to allow and appoint to be paid to such respective Clerks, Treasurers, Engineers, Surveyors, Collectors, Receivers, and other Officers, Agents, and Assistants, out of the said Taxes, Tolls, and other Monies, or any of them, such yearly or other Wages, Salaries, Compensations, and Rewards, for their Trouble, Pains, and Expences in their respective Offices or Employments, as the said Commissioners at such General Meetings respectively shall from Time to Time think reasonable and proper; and that it shall be lawful for the said Commissioners at any Special or Adjourned Meeting, if they shall see Cause, from Time to Time to remove and displace all or any of the said Officers, and to appoint others or another in their Places or Steads, or in the Place or Stead of any of them who shall die or cease to act, until the then next General Meeting.

XXIV. Pro-

XXIV. Provided always, and be it further enacted, That it shall not be lawful for the said *North Level* Commissioners to appoint any Person who shall be appointed their Clerk, or any Partner of such Clerk, or any Clerk or other Person in the Service or Employment of any such Clerk or of his Partner, to be the Treasurer of the said Commissioners, or to appoint any Person who shall be appointed their Treasurer, or any Partner of such Treasurer, or any Clerk or other Person in the Service or Employment of any such Treasurer or of his Partner, to be the Clerk of the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer to the said Commissioners, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employment of any such Clerk or of his Partner, shall accept the Office of Treasurer to the said Commissioners, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employment of any such Treasurer or of his Partner, shall accept the Office of Clerk to the said Commissioners, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every 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*.

Clerk and
Treasurer
not to be the
same Person.

XXV. And be it further enacted, That every such Treasurer, Clerk, Collector, and Receiver, so to be appointed as aforesaid, before he shall act in the Execution of his Office, shall give to the said *North Level* Commissioners such Security for rendering a faithful Account of all Monies which shall or ought to be received or paid by him, and for duly executing his Office and Trust, and for delivering up all Books, Accounts, Vouchers, and Papers belonging to his Office, and for all other reasonable Purposes, as the said Commissioners shall in their Discretion think fit.

Officers
to give
Security.

XXVI. And be it further enacted, That every such Clerk, Treasurer, Collector, Receiver, and other Officer so to be appointed as aforesaid, shall fairly enter into proper Books to be kept for such Purpose, an Account of all Monies by him received and paid on account of the said *North Level* Commissioners, or otherwise in the Execution of his Office, specifying the several Times when, and the Persons from whom and to whom, and the several Purposes for which, such Monies were respectively received and paid; and every such Collector and Receiver shall from Time to Time pay over all such Taxes, Tolls, and Monies as he shall from Time to Time have collected or received unto the Treasurer for the Time being of the said Commissioners, at least twice in every Year, or oftener if required, in such Manner as the said Commissioners shall from Time to Time order or direct.

Officers to
make Entries
of their Ac-
counts, and
to pay over
Monies to
Treasurer.

XXVII. And be it further enacted, That every Clerk, Treasurer, Collector, Receiver, and other Officer to be appointed as aforesaid, shall, as often as he shall be required by the said *North Level* Commissioners or their said Committee, render and give to them the said Commissioners

Officers to
account for
Monies, and
to deliver up
Papers.

missioners or their said Committee, or to such Person or Persons as the said Commissioners or their said Committee shall for that Purpose appoint, a true, exact, and perfect Account in Writing under his Hand, and produce and deliver up to the said Commissioners or their said Committee, or to such Person or Persons as aforesaid, proper Vouchers of and for all Monies which he shall up to the Time of rendering such Account have received, paid, and disbursed by virtue of his Office under the said Commissioners; and in case any Money which shall have been received by any such Officer shall remain in his Hands, the same shall be paid by him to the said Commissioners or their said Committee or Treasurer, or to such other Person or Persons as the said Commissioners or their said Committee shall authorize to receive the same; and every such Officer shall, when and as often as he shall be required by the said Commissioners or their said Committee, produce and deliver up to them, or to such Person or Persons as they shall respectively for that Purpose appoint, all Books, Papers, Writings, Matters, and Things whatsoever relating to his Office under the said Commissioners, which are, shall be or ought to be, in his Custody, Possession, or Power; and if any such Officer shall, for the Space of Fourteen Days after being thereunto required by any Writing signed by any Five or more of the said Commissioners, or by the Chairman or Deputy Chairman of the said Committee, refuse or neglect to render, give, produce, and deliver up, in manner aforesaid, such true and perfect Account, and all or any such Vouchers, Books, Papers, Writings, Matters, and Things as aforesaid, it shall be lawful for any Justice of the Peace of the County, Division, Parts, Isle, or Jurisdiction where the Officer so making Default shall reside or be, upon Application made to him for that Purpose by or on behalf of the said Commissioners, to make Inquiry of and concerning any such Default as aforesaid in a summary Way, either by the Confession of the Party or by the Testimony of any credible Witness or Witnesses upon Oath, or by both the said Ways, and by Warrant under his Hand and Seal to cause such Money as shall appear to him to be due and unpaid from such Officer to be levied by Distress and Sale of the Goods and Chattels of such Officer, rendering to such Officer the Overplus of the said Goods and Chattels, or of the Monies arising from the Sale thereof, (if any,) on Demand, after deducting the Charges and Expences of making and disposing of such Distress; and if sufficient Distress cannot be found, or if it shall appear to any such Justice that any such Officer shall have refused or wilfully neglected to render such Account, or to deliver up all or any Vouchers, Books, Papers, Writings, Matters, or Things which are, shall be or ought to be, in his Custody or Power relating to his said Office, such Justice may commit him to the House of Correction or Common Gaol of the County, Division, Parts, Isle, or Jurisdiction where such Officer shall reside or be, there to remain without Bail until he shall have made and given such true and perfect Account, and shall have produced and delivered up such Vouchers as aforesaid, and shall have paid the Money (if any) remaining in his Hands, according to the Directions of the said Commissioners or their said Committee, or shall have compounded with them for such Money, and paid such Composition according to their Direction, (which Composition the said Commissioners or their said Committee are

hereby empowered to make and receive,) or until he shall have delivered up all such Books, Papers, and Writings, Matters and Things as aforesaid, or have given Satisfaction to the said Commissioners or their said Committee concerning the same; but no such Officer who shall be so committed on account of his not having sufficient Goods and Chattels as aforesaid shall be detained in Prison by virtue of this Provision for any longer Time than Six Calendar Months.

XXVIII. And be it further enacted, That if any Clerk, Collector, or other Officer or Person, when discharged from his Office, or from the Employment of the said *North Level* Commissioners, shall refuse or delay to remove from any House or Premises occupied by him belonging to the said Commissioners, and to render up the full and entire Possession thereof to the said Commissioners or their said Committee, or to whomsoever they shall respectively appoint for that Purpose, upon being thereunto required by the said Commissioners or their said Committee, or by any Person in their Behalf, it shall be lawful, upon the Complaint of One or more of the said Commissioners, or of any Person in their Behalf, for any One or more of the Justices of the Peace of the County, Division, Parts, Isle, or Jurisdiction where such House or Premises shall be situated, to summon such Officer or Person to appear before him or them, and upon his appearing or not appearing, pursuant to such Summons, to hear and determine the Matter of the said Complaint, and to cause all or any of the Goods and Chattels being within such House and Premises to be removed therefrom, and the Possession of such House and Premises to be delivered up to the said Commissioners or their said Committee, or to such Person as they shall respectively appoint to receive the same; and if any such Officer or any other Person shall thereafter molest or disturb the said Commissioners or any Person in the Possession of such House or Premises, it shall be lawful for any One or more of such Justices, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Officer or Person so offending to the Common Gaol or House of Correction of such County, Division, Parts, Isle, or Jurisdiction, for any Period not exceeding Six Calendar Months.

Officer discharged from the Service of the Commissioners to remove from Premises occupied by him.

XXIX. And whereas a Map or Plan describing the Line of the said intended *North Level Main Drain* by this Act authorized to be made, and the Lands through which the same is intended to be carried, and also a Schedule of Reference to the said Map or Plan, have been deposited in the respective Offices of the several Clerks of the Peace for the *Isle of Ely* and for the Parts of *Holland* in the County of *Lincoln*, and also at the Office of the Governor, Bailiffs, and Conservators of the said *Bedford Level*, called the *Fen Office*; be it therefore further enacted, That the said Map or Plan, and Schedule of Reference thereto, shall remain and be kept in the Offices of the said several Clerks of the Peace, and their Successors, and in the said *Fen Office* respectively, for the Time being; and all Persons shall at all Times have Liberty there to inspect and peruse the same, and to make, or require to be made, Copies thereof and Extracts therefrom, at their Will and Pleasure, paying to the said respective Clerks of the Peace, or to the Register at the said *Fen Office*, the Sum of One

Map of Drain and Schedule of Reference deposited to remain for Inspection.

Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of every such Copy or Extract.

Power for North Level Commissioners to make North Level Main Drain and other Works.

XXX. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to set out, and with all convenient Speed to make and complete, or cause to be made and completed, a new Main Drain, to be called the *North Level Main Drain*, for the passing and conveying of the Waters of the said Five Districts of the said *North Level* and *Great Portsand* from a certain Place called *Clows Cross*, hereinbefore mentioned, through the Parishes or Hamlets of *Leverington Parson Drove*, *Tid Saint Mary's*, *Sutton Saint Edmund's*, *Leverington*, *Tid Saint Giles's*, and *Newton*, in the *Isle of Ely* and in the County of *Lincoln*, into the said new Cut or Channel called the *Nene Outfall Cut*, by and through the said new Sluice in the West Bank of the said Cut, to be called the *North Level Sea Sluice*, in the Line and according to the Direction thereof laid down and specified in the said hereinbefore mentioned Map or Plan, and Schedule of Reference thereto, or within the Distance of One hundred Yards from the said Line on either Side thereof; and also to make and complete, or cause to be made and completed, proper and sufficient Banks and Forelands, and Soak and Fence Ditches, by, along, and at the Back of the said Main Drain, and to divert, confine, and convey the Waters of the said Five Districts into, by, and through the said Main Drain, and through the said Sea Sluice, into the said *Nene Outfall Cut*; and also to make, erect, and put down, or cause to be made, erected, and put down, all such Banks, Dams, Shores, Forelands, Drains, Ditches, Sluices, Tunnels, Bridges, Headings, Fences, and other Works, as to the said *North Level* Commissioners shall seem requisite or expedient, for preserving and maintaining the said Main Drain, Sea Sluice, and other Works, and for effectually conveying the Waters of and from the said Five Districts of the said *North Level* and *Great Portsand*, by and through the said Main Drain and the said Sea Sluice, into the said *Nene Outfall Cut*, to Sea, with such proper and sufficient Sluices and Tunnels in and by the Side of and such Ways and Bridges to and across the said Main Drain, as shall to the said Commissioners seem requisite and expedient.

Direction and Dimensions of the Main Drain.

XXXI. And be it further enacted, That the said intended Main Drain, and the Banks and Forelands thereof, shall be set out and made from *Clows Cross* aforesaid to the said *Nene Outfall Cut* in the following Direction; (that is to say,) to commence at *Clow's Cross* aforesaid, and to proceed thence in a straight Line in a North-eastwardly Direction through the several Parishes, Hamlets, or Places of *Leverington Parson Drove*, *Tid Saint Mary's*, *Sutton St. Edmund's*, *Leverington*, *Tid Saint Giles's*, and *Newton*, or some or One of them, to a certain Drove called *Kirk Gate*, in the Parish of *Tid Saint Giles's* aforesaid, and thence in a curved Line to and across the Turnpike Road leading from *Long Sutton* to *Wisbech*, and thence in a straight Line through the Marshes of *Tid Saint Giles's* and *Tid Saint Mary's* aforesaid, to and over *Shire Drain*, to the said *North Level Sea Sluice*, and in and through the said Sea Sluice into the said *Nene Outfall Cut*,
agreeable

agreeable to the Line of the said intended Main Drain laid down in the said Map or Plan so deposited as aforesaid, and the Schedule of Reference thereto, or within the Distance of One hundred Yards therefrom on either Side thereof; and that the said Main Drain shall be made with a clear Bottom of not less than Forty Feet in Width at the said Sea Sluice, and shall at the said Sluice be cut to a Depth of not less than One Foot below the Cill of the said Sluice, and shall rise gradually at the Rate of Four Inches *per* Mile in its Course upwards, and shall be reduced to a clear Bottom of not less than Thirty Feet in Width at the upper Termination thereof at *Clow's Cross* aforesaid.

XXXII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and for their said Committee, and they are hereby severally fully authorized and empowered, to take and make use of any Lands and Buildings which shall be required for any of the Purposes of this Act, within the Line so laid down in the said Map or Plan as aforesaid, or within the Distance of One hundred Yards therefrom on either Side thereof, they the said Commissioners making Satisfaction or Compensation for such Lands and Buildings which shall be so taken or made use of as aforesaid in the manner hereinafter directed; but the said Commissioners or their said Committee shall not take or make use of any Lands or Buildings for any of the Purposes of this Act other than such Lands or Buildings as are or shall be lying or situate within the aforesaid Line, or within the Distance of One hundred Yards therefrom on either Side thereof, and other than such Lands and Buildings as are by this Act respectively expressed and authorized to be taken or made use of, unless the Consent of the Owner or Owners for the Time being of such other Lands or Buildings as shall be so taken or made use of as aforesaid shall have been previously given, such Owner or Owners being at the Time of giving such Consent seised of or entitled to such last-mentioned Lands or Buildings for One or more Life or Lives, or for Years determinable on some Life or Lives, or for some Estate of Freehold or Inheritance therein, or for any renewable Term or Terms of Years, or unless it shall appear to any Two or more Justices of the Peace acting for the said *Isle of Ely*, or for the Parts of *Holland* in the said County of *Lincoln*, wherein the said last-mentioned Lands or Buildings shall respectively lie or be situate (as the Case may be), and shall be by them certified in Writing that the Omission thereof in the said Map or Plan, or Schedule (as the Case shall be) proceeded from Error or Mistake.

Power to take Lands within the Line described, or within One hundred Yards therefrom.

XXIII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said *North Level* Commissioners, or any Person acting under their Authority, to make or carry the said intended Main Drain, or any Part of the Banks thereof or to take or make use of any Lands or Grounds for any of the Purposes of this Act, nearer to the Dwelling House of *Joseph Hannath* in the Parish of *Tid Saint Giles's* aforesaid than the Distance of One hundred and fifty Yards therefrom, without the Consent of the Owner or Owners of the said Dwelling House for the Time being.

The Commissioners not to make the Main Drain within 150 Yards from the Dwelling House of *J. Hannath*.

XXXIV. Pro-

The Commissioners not authorized to take Dwelling Houses, &c. without Consent, except those mentioned in the Schedule ;

XXXIV. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said *North Level* Commissioners, or any Person or Persons acting under their Order or Authority, to take, use, injure, or damage, for any of the Purposes of this Act, any Dwelling House or Building which was erected or built before the First Day of *January* One thousand eight hundred and twenty-nine, or any Land which was set apart and used as and for a Yard, Garden, Orchard, Planted Walk or Avenue attached to any Dwelling House, before the said First Day of *January* One thousand eight hundred and twenty-nine, without the Consent in Writing of the Owners and Occupiers thereof respectively first had and obtained, other than and except such several Dwelling Houses, Buildings, Yards, Gardens, Orchards, Planted Walks and Avenues as are specified in the Schedule annexed to this Act.

nor to purchase Lands, &c. after Five Years, without Consent.

XXXV. Provided also, and be it further enacted, That if the said *North Level* Commissioners shall not, within the Space of Five Years next after the passing of this Act, agree for or cause to be valued and paid for, in the Manner directed by this Act, such several Lands and Buildings as they are by this Act empowered to purchase, take, and make use of, or so much of the same respectively as the said Commissioners shall deem necessary or proper for any of the Purposes of this Act, then and thenceforth the Powers by this Act granted to them for such Purposes only shall cease, determine, and be utterly void as to all such of the said Lands and Buildings as they may thereafter require to purchase, take, or make use of for any of the Purposes of this Act, without the Consent of the respective Owners and Occupiers thereof.

Provision for restoring Communication of intersected Drains.

XXXVI. And be it further enacted, That in all Cases wherein the said *North Level Main Drain* shall be cut or carried across any Public Drain or Watercourse which at the Time of the passing of this Act shall be used for the Purpose of conveying the Waters of and from any Lands in their usual and proper Course to their Outfall to Sea, the said *North Level* Commissioners shall, out of the Monies to be raised by them under the Authority of this Act, make and provide a Communication by some Tunnel or Culvert, or other sufficient Channel, through, across, or under the said Main Drain, whereby the Course and Passage of such Waters may be continued in or restored to their accustomed Drain or Watercourse ; and every such Tunnel, Culvert, or other Channel shall at all Times thereafter be maintained and kept in repair by and at the Expence of the said Commissioners out of the Monies to be raised by them under the Authority of this Act.

Power for Commissioners to make North Level Interior Drains.

XXXVII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to set out, and with all convenient Speed to make, alter, enlarge, deepen, open, scour out and complete, or to cause to be set out, made, altered, enlarged, deepened, opened, scoured out and completed, the several *North Level* Interior Drains hereinafter mentioned, (being respectively situate within the said *North Level*), for

the Passage of the Waters of the said Five several Districts of the said *North Level* and *Great Portsand* into the said intended Main Drain at *Clows Cross* aforesaid (that is to say,) One Drain, to be called the *New South Eau*, to commence near to a certain Mill called the *Lot Mill*, in the Parish of *Crowland*, and to proceed thence towards and near to and on the East Side of a certain Sluice called the *Black Horse Sluice*, in the Parish of *Thorney*, and thence in a direct Line by and along the present Course of the said *New South Eau*, in the same Parish, to and across *Gold Dyke*, and thence in a direct Line between the late *Great* and *Little Commons* of *Sutton*, and through *Throckenholt Farm*, unto and to communicate with the said *North Level Main Drain* at *Clows Cross* aforesaid, the said *New South Eau* to be made with a clear Bottom of not less than Thirty Feet in Width at *Clows Cross* aforesaid, and upon a Level with the Bottom of the said Main Drain at that Point, and to rise gradually at the Rate of Three Inches *per* Mile in its Course upwards, and to be reduced to a clear Bottom of not less than Twenty-four Feet in Width at its upper Termination near to the *Lot Mill* aforesaid; and One other Drain, to be called the *Portsand Drain*, to commence near to the North End of a certain Drove called *Fall's Drove*, in the Parish of *Thorney*, and to proceed thence in an Eastwardly Direction by and along the present Course of the *Old South Eau* to a certain Place called *Dowdsdale Bar*, in the Parish of *Whaplode*, and thence Southwardly in a direct Line through *Thorney North Fen* to join and fall into the said *New South Eau* near to the Junction of certain Drovers called *French Drove* and *Green Drove*, in the Parish of *Thorney*, the said *Portsand Drain* to be made with a clear Bottom of not less than Twenty Feet in Width throughout, and the Bottom thereof to be upon a Level with the Bottom of the said *New South Eau* at its Junction with the said *Portsand Drain*, and to rise gradually at the Rate of Three Inches *per* Mile in its Course upwards; and One other Drain, to be called the *Counter Drain*, to commence at the East End of the *Severals* in *Standground*, and to proceed thence in an Eastwardly Direction along the Course of the present *Counter Drain*, under the North Bank of *Moreton's Leam*, to join and fall into the *New Wryde*, hereinafter mentioned, under the said Bank, near to *Knarr Cross* in the Parish of *Thorney*, the said *Counter Drain* to be made of such Depth and Dimensions as shall correspond with the present Bottom thereof at or near to *North Eau Gravel* at one End, and at its Junction with the said *New Wryde* at the other End thereof, or of such greater Depth and Dimensions as to the said *North Level* Commissioners shall seem expedient; and One other Drain, to be called the *Catwater*, to commence from about Twenty Feet above *Thorney Cross* in the Parish of *Thorney*, and to proceed thence to *Story's Bar*, and thence by and along the Course of the present Drain to or near to *North Eau Gravel*, the said *Catwater* to be made of a Depth and Dimensions corresponding with the Depth and Dimensions of the said *Counter Drain* at *North Eau Gravel* aforesaid; and One other Drain, to be called the *New Wryde*, to commence at the said *Counter Drain* under the North Bank of *Moreton's Leam*, near to *Knarr Cross* in the Parish of *Thorney*, and to proceed thence in a direct Line between the Parish of *Thorney* and *Wisbech High Fen*, and across the Turnpike Road leading from *Thorney* to *Wisbech*, to

the East End of the *Old Wryde* Stream in the Parish of *Thorney*, and thence in a straight Line in an Eastwardly Direction through *Wisbech High Fen* to the present Drain on the West Side of *Murrow Bank*, opposite to *Murrow Town*, and thence by and along the said last-mentioned Drain into and to communicate with the said *North Level Main Drain* at *Clows Cross* aforesaid, the *New Wryde* to be made with a clear Bottom of not less than Thirty Feet in Width at *Clows Cross* aforesaid, and upon a Level with the Bottom of the said Main Drain at that Point, and to rise gradually at the Rate of Three Inches *per* Mile in its Course upwards, and to be reduced to a clear Bottom of not less than Twenty-four Feet in Width at its upper Termination at the *Counter Drain* aforesaid; and One other Drain, to be called the *Gold Dyke*, to commence at the said East End of the said *Old Wryde* Stream, and to proceed thence in a direct Line between the Parish of *Thorney* and *Inkerson Fen*, and *Sutton St. Edmund's*, late *Great Common*, to join and fall into the said *New South Eau* at the East End of *French Drove* in the said Parish of *Thorney*, the said *Gold Dyke* to be made with a clear Bottom of not less than Eighteen Feet in Width throughout, and upon the same several Levels as the Bottoms of the adjoining Drains at each End thereof; and One other Drain, to be called the *Thirty Feet Drain*, to commence at *Murrow Bank* nearly opposite to a certain Place called *Tholomas Drove*, in the Parish of *Wisbech Saint Mary's*, and to proceed thence in a straight Line by and along the present *Thirty Feet Drain*, on the West Side of *Murrow Bank*, to join and fall into the said *New Wryde* opposite to *Murrow Town* aforesaid, the said *Thirty Feet Drain* to be made with a clear Bottom of not less than Eighteen Feet throughout, and upon a Level with the Bottom of the said *New Wryde* at its Junction therewith, and to rise gradually at the Rate of Three Inches *per* Mile in its Course upwards; and also to take, or make and complete, proper and sufficient Banks, Cesses, and Forelands, by, along, and at the Back of the said several Drains, and to divert, confine, and convey the Waters of the said respective Districts into, within, and through the said several Interior Drains, according to the respective Allotments thereof hereinafter set forth, and in the Manner hereinafter directed, to and into the said *North Level Main Drain* at *Clows Cross* aforesaid, and thence to Sea; and also to take, make, erect, put down, enlarge, and alter, and to cause to be made, erected, put down, enlarged, and altered, all such Banks, Dams, Shores, Forelands, Drains, Sluices, Tunnels, Bridges, Headings, Fences, Ditches, and other Works, upon, along, by the Sides or at the Backs of, or adjoining or near to, every or any of the said several Interior Drains, as to the said Commissioners shall appear expedient or proper for any of the Provisions or Purposes of this Act.

The Lines, Levels, &c. of the Interior Drains not to be altered without special Order.

XXXVIII. And be it further enacted, That the said several Interior Drains and every of them shall at all Times hereafter be kept and maintained in such respective Lines and Courses, and of such respective Levels, Bottoms, and Widths, as are hereinbefore severally described, and in no other Line or Course, and of no other Level or Bottom or Width, unless at any Time Forty at least of the said *North Level* Commissioners shall, at any yearly General Meeting, or at any Special Meeting to be convened for that Purpose, concur in ordering and

and directing any Alteration to be made in any of the said Lines Courses, Levels, Bottoms, or Widths in which Case the several Alterations which shall be so from Time to Time ordered or directed shall be made and maintained and kept in such Manner and for and during such Time as the said Commissioners shall so order and direct, and until any other Alteration therein or in any of them shall in like Manner be ordered and directed by the said Commissioners: Provided nevertheless, that no such Alteration shall be made whereby the Drainage of any of the Lands lying within the Boundaries of the said *North Level* and *Great Portsand* shall be prejudiced; and provided also, that Fourteen Days previous Notice of the Meeting at which such intended Alteration is to be proposed and considered shall be given to the Clerk or other Officer of the Commissioners of the District or several Districts which shall be thereby affected.

XXXIX. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to make, put down, and erect, or to cause to be made, put down, and erected, at or near to *Clows Cross* aforesaid, Two new Sluices, with Slackers or Pointing Doors and other necessary Appendages thereto, one of the said Sluices to be fixed across the said Interior Drain to be called the *New South Eau*, and the other of them to be fixed across the said Interior Drain to be called the *New Wryde*, at the lower Terminations of the said last-mentioned Drains respectively at or near to *Clows Cross* aforesaid, for the Passage and Conveyance of the Waters from the said Five Districts of the said *North Level* and *Great Portsand*, out of the said last-mentioned Drains, through the said respective Sluices, into the said intended Main Drain at or near to *Clows Cross* aforesaid; which said Sluices shall be made of such sufficient Height, Width, Dimensions, and Strength as shall be necessary, as well for the Passage of the said Waters through the same as also for holding up and stopping the said Waters in such Cases and upon such Occasions as are hereinafter particularly mentioned and provided for, and for defending and protecting, not only the several Lands in the said Five Districts, but also the several Lands lying on each Side of the said *North Level Main Drain*, from and against the overflowing of Waters which may at any Time be occasioned by the Breach of any Land or Sea Bank, or otherwise.

Power for Commissioners to put down Two Sluices at Clows Cross.

XL. And be it further enacted and declared, That when and so soon as the said Main Drain and the Banks thereof, the said Sea Sluice, the said several Interior Drains and the Banks thereof, the said Two Sluices at *Clows Cross*, and the several other Drains, Sluices, Tunnels, Banks, Dams, and Works by this Act required or authorized to be made, or such of them as shall be necessary and sufficient for the safe and effectual Passage and Conveyance of the Waters of the said Five several Districts of the said *North Level* and *Great Portsand*, by and through the said several Interior Drains, *Clows Cross* Sluices, Main Drain, and Sea Sluice, into the said *Nene Outfall Cut*, shall be fully executed and completed, according to the true Intent of this Act, to the Satisfaction of the Engineer or Engineers by this Act respectively authorized to act in that Behalf, the Execution

Allotment of Interior Drains for the several Districts.

tion and Completion thereof shall be certified by some Writing or Writings under the Hand or Hands of the said Engineer or Engineers respectively; and upon and after such Certificate or Certificates being given, and upon and after a Day to be appointed by the said Commissioners, of which Day Notice shall be given twice in some Weekly Newspaper or Newspapers usually circulated in the *Isle of Ely* and in the County of *Lincoln*, all and every of the Waters of the said Five Districts shall thenceforth run, pass, and be conveyed into, by, and along the said several *North Level* Interior Drains hereinbefore directed to be made, altered, enlarged, opened, deepened, scoured out, and completed as aforesaid, unto *Clows Cross* aforesaid, and thence by and along the said Main Drain unto the said Sea Sluice, and by and through the said last-mentioned Sluice into the said *Nene Outfall Cut*, and thence to Sea; and the Waters of each of the said several Districts shall thenceforth run and be conveyed from and out of the same respectively into such of the said several Interior Drains as are hereinafter particularly mentioned and allotted for them respectively, and by and along the same respective Interior Drains to *Clows Cross* aforesaid, and thereby into the said Main Drain; (that is to say,)

The First District.

The Waters of the First District, including the Waters of that Part of the said Interior Drain to be called the *Catwater* which lies between the First and Third Districts, shall run and be conveyed into the said Interior Drain to be called the *New South Eau*, at the West End thereof, between the *Lot Mill* in the Parish of *Crowland*, and the *Black Horse Sluice* in the Parish of *Thorney*, and by and along the said *New South Eau* unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid :

The Second District.

The Waters of the Second District shall run and be conveyed into any Part of the said Interior Drain to be called the *Catwater*, adjoining the said Second District, and by and along the said Interior Drain to be called the *Counter Drain*, into the said Drain to be called the *New Wryde* at the Junction thereof with the said *Counter Drain*, and by and along the said *New Wryde* unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid :

The Third District.

The Waters of the Third District shall run and be conveyed into any Part of the said *New South Eau*, and into any Part of the said Interior Drain to be called the *Gold Dyke*, and from the said *Gold Dyke*, at the North End thereof, into the said *New South Eau*, and at the South End thereof into the said *New Wryde*, and into any Part of the said *New Wryde* between *Knarr Cross* and the said *Gold Dyke*, and by and along the said *New South Eau* and *New Wryde* respectively unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid :

The Fourth District.

The Waters of the Fourth District shall run and be conveyed into any Part of the said *New South Eau* East of the said *Gold Dyke*, and into any Part of the said *New Wryde*, and by and along the said *New South Eau* and *New Wryde* respectively unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid :

The Fifth District.

And the Waters of the Fifth District shall run and be conveyed into any Part of the said Interior Drain to be called the *Portsand Drain*, between the North End of *Fall's Drove* and *Dowdale Bar*,
and

and by and along the same Drain into the said *New South Eau* at the Junction thereof with the said *Portsand Drain*, and by and along the said *New South Eau* unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid, (save and except the Waters of the Lands formerly belonging to *Beverley Butler* Esquire, and now reputed to belong to *James Whitsed* Esquire, which shall run and be conveyed into the said *New South Eau* at the West End thereof near to the said *Black Horse Sluice*, and by and along the said *New South Eau* unto *Clows Cross*, and thence into the said Main Drain at or near to *Clows Cross* aforesaid.)

XLI. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby required, to make such a Communication Drain from the said Lands formerly belonging to *Beverley Butler* as shall in the Opinion of their Engineer be necessary for passing and conveying the Waters from the said last-mentioned Lands to and into the said *New South Eau* at or near to the upper Termination thereof, and to pay the Charge and Expence of such Communication Drain out of any of the Monies to be raised or received by the said Commissioners under the Authority of this Act; and when and so soon as such last-mentioned Communication Drain shall have been made and completed, it shall be lawful for the Owner or Owners and Occupier or Occupiers of the said last-mentioned Lands at all Times thereafter to use the same Drain for the passing and conveying of the Water from the said Lands only, and from no other Lands, into the said *New South Eau*; and the said Communication Drain and the Banks thereof when the same shall have been made and completed shall at all Times thereafter be maintained and kept in repair, and of a sufficient Height and Strength to keep out the Waters passing through the same from any of the adjoining Lands, by and at the Expence of the Owner or Owners for the Time being of the said Lands formerly of the said *Beverley Butler*.

Power to make a Communication Drain for Lands formerly belonging to *Beverley Butler*.

XLII. Provided always, and be it further enacted, That when and after the said last-mentioned Communication Drain shall have been made and completed, it shall not be lawful for the Owner or Owners or Occupier or Occupiers of the said last-mentioned Lands, or any of them, or for any other Person at any Time to drain pass, or convey the Waters from the same Lands, or any of them, through *Dowdale Bank* or into the River *Old South Eau*; any thing in the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second contained to the contrary thereof notwithstanding.

The said Lands not to drain into the Old South Eau.

XLIII. And be it further enacted, That the said *North Level* Commissioners shall and they are hereby authorized, at their Discretion, to make and put down, or to cause to be made and put down, at or near to the several Places where the respective Waters of the said Five several Districts will respectively fall or enter into the several Interior Drains hereinbefore respectively allotted to them, all such Sluices, Tunnels, Pointing Doors, Slackers, Gauges, and other Works as they

Power for the Commissioners to put down Sluices, &c. for regulating the Passage of the Waters.

[Local.]

16 C

shall

shall think necessary for regulating the Entrance and Passage of the said respective Waters into and through their said respective allotted Drains, and to secure the fair and equal Drainage of all the Lands lying within the said Five Districts, without Preference or Favour, the said Gauges to be from Time to Time regulated by the said Commissioners or their said Committee, and the said Sluices, Tunnels, Pointing Doors, and Slackers to be respectively opened and closed at such respective Times, and under such several Rules and Regulations, and in such Manner, as the said Commissioners or their said Committee shall from Time to Time order or direct, but subject nevertheless to such several fixed Gauges, Rules, and Regulations as are by this Act expressly provided or declared in respect of the said Sluices, Tunnels, Pointing Doors, and Slackers, or any of them.

No Sluice to be made across the New South Eau without Consent of certain District Commissioners.

XLIV. Provided always and be it further enacted, That no Sluice or other Work (except the said Sluices and Works hereinbefore required to be fixed at or near to *Clows Cross* aforesaid) shall be placed by or under the Direction of the said *North Level* Commissioners in, upon, across, or by the Side of any Part of the said Interior Drain to be called the *New South Eau*, whereby the Admission and Passage of the Waters from the Lands lying in the Parish of *Newborough* aforesaid, or from any of the Lands lying within the First and Fifth of the said Districts, into and through the said *New South Eau*, shall be regulated or affected, without the Consent as well of the Commissioners for the Time being acting for the Drainage of the said Lands in the said Parish of *Newborough* as also of the Commissioners for the Time being acting for the Drainage of the Lands lying within the said First and Fifth Districts respectively; such respective Consents to be testified by some Order to be made at some Special Meeting of the said respective Commissioners, and to be certified by some Writing under the Hands of Five or more of the said Commissioners respectively, pursuant to such Order.

Power for the Commissioners to erect Steam Engines.

XLV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, from Time to Time and at all Times when and as Occasion shall require, and it shall seem to them requisite or expedient, to erect, set up, maintain, and support, and to use, work, or employ, One or more Steam Engine or Steam Engines, or other Engine or Engines, Mill or Mills, Device or Devices, at such Place or Places near or adjoining to the said *North Level Main Drain* at the Lower End thereof, between the Place of its Intersection of the said *Shire Drain* and the said *North Level Sea Sluice*, as to the said Commissioners shall seem necessary or proper for throwing or conveying the Waters of the said Five Districts of the said *North Level* and *Great Portsand*, or any of them, from and out of the said Main Drain into the said *Nene Outfall Cut*, and to purchase, take, and use any Land or Lands which shall be required for any such Engine, Mill, or Device, or for any Buildings or Conveniences to be added thereto or used therewith, they the said Commissioners making such Compensation for such Land or Lands as is herein directed or authorized in respect of any other Lands to be purchased, taken, or used by the said Commissioners; and to take down and remove any such Steam Engine or Steam Engines, or other Engine or Engines, Mill

or

or Mills, Device or Devices, so to be erected or set up under the Authority of this Act as aforesaid, which to the said Commissioners shall from Time to Time appear not requisite or expedient to be used, employed, or continued for the Purpose aforesaid, and to sell and dispose of the same, or the Materials thereof, and the Lands, Buildings, and Conveniences belonging thereto, or any of them, and to apply the Proceeds thereof in such Manner as the other Funds of the said Commissioners shall from Time to Time be applicable under the Authority of this Act.

XLVI. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and for their said Committee, and their several Officers and Servants, and any other Person and Persons acting under their Authority and Direction, and they are hereby severally authorized and empowered, from Time to Time, to dig, cut, take, and carry away all such Earth, Clay, Sand, Gravel, Flags and Sods in, upon, and from any Land, being Common, Common Marsh, or Waste Land, lying within any of the several Parishes, Townships, or Places adjoining to the said intended Main Drain, or to any other of the Drains and Works authorized to be made or maintained by virtue of this Act, as the said Commissioners and their Committee respectively shall from Time to Time find necessary for supplying Materials to be used and employed in making, completing, maintaining, and supporting the said intended Main Drain, or any other of the Drains and Works by this Act authorized to be made or maintained by the said Commissioners; and also, for the same several Purposes, to enter into any private open Marshes or Wastes, or private open or inclosed Lands, not being a Garden, planted Walk, or Avenue to any House, in any of the Parishes, Townships, or Places last aforesaid, and therein and therefrom to dig, cut, take, and carry away all or any of such Materials as aforesaid, upon making such Compensation for such several Acts as aforesaid, out of the Funds under their Controul or Direction, as by this Act is required and directed to be made by the said Commissioners for any Lands or Buildings to be purchased, taken, or used by them for the Purposes of this Act; and also, for the several Purposes aforesaid, to use any public or private and to make and use any new or other Carriage and other Roads, Navigation and other Drains, and Haling Ways whatsoever, in, upon, through, and over the Lands and Grounds of any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate whatsoever, the said Commissioners rendering Satisfaction to the Owners and Occupiers of the said Lands and Grounds, Roads, Drains, and Haling Ways, and all other Persons who may be injured by any such Acts of the said Commissioners, in the Manner provided by this Act in regard to any other Compensation or Satisfaction to be made by the said Commissioners: Provided that nothing in this Provision contained shall extend to lessen, prejudice, or interfere with any of the Rights, Powers, or Privileges of the Burgesses of the Town of *Wisbech*, or of the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or of any other Commissioners of Sewers, or of the Commissioners for the Drainage of any Lands discharging their Waters into, by, or through the said *Nene Outfall Cut* to Sea, or to enable

Power to
obtain Ma-
terials for
the Works.

enable the said *North Level* Commissioners, for the Purpose of obtaining Materials, to dig or cut any Earth, Clay, Sand, Flags, or Sods upon or from any of the Banks under the Jurisdiction or Management of the said Burgesses or Commissioners, or any of them, by virtue of any Statute, Charter, Law, Usage, or Custom whatsoever, or within the Distance of Sixty Feet from the Base of any such last-mentioned Bank.

The Drains, Banks, &c. to be made and maintained by the Commissioners of sufficient Depth, &c.

XLVII. And be it further enacted, That as well the said several *North Level* Interior Drains, as also the said *North Level Main Drain*, intended to be respectively continued, made, and used under the Authority of this Act, shall be made, and at all Times kept, maintained, and scoured out, by and at the Charge of the said *North Level* Commissioners, of and to a sufficient Depth for effectually passing and conveying the Waters of and from the said Five several Districts of the said *North Level* and *Great Portsand*, into, along, and through the said Drains respectively, to and through the said *North Level Sea Sluice* into the said *Nene Outfall Cut*; and the Banks on each Side of the said Main Drain shall be made, and at all Times kept, maintained, and raised, by and at the Charge of the said *North Level* Commissioners, of and to a sufficient Height, Strength, Width, and Dimensions for effectually holding and containing the Waters intended to pass or be conveyed along and through the said Main Drain to and through the said Sea Sluice, and defending the Lands lying on each Side of the said Main Drain from the said Waters, and preventing any Soakage of the said Waters through or under the said Banks or either of them into any of the said last-mentioned Lands; and the said Banks shall be made and at all Times kept and maintained of such Height that the Surface Top thereof shall be at least Two Feet above the Surface Top of any of the said Waters passing or conveyed along the said Main Drain; and the several Tunnels, Culverts or Channels through, across, or under the said Main Drain which shall be made by the said *North Level* Commissioners, for continuing or restoring the Course or Passage of any Waters to their accustomed Drain or Watercourse, pursuant to the Provision hereinbefore in that Behalf contained, shall be made and at all Times kept and maintained by and at the Charge of the said *North Level* Commissioners of a sufficient Capacity, Strength, and Dimensions for passing the said Waters through the same without any Impediment or Obstruction whatsoever.

Works to be done under the Direction of Engineers, if required by Parties interested.

XLVIII. And be it further enacted, That it shall be lawful for the Commissioners of any Drainage District within the said *North Level* and *Great Portsand*, on giving Notice in Writing of their Intention to the said *North Level* Commissioners, within Two Calendar Months next after the passing of this Act, and specifying in such Notice the particular Work or Works to which the same shall refer, to appoint One Engineer on the Part of such District Commissioners respectively to act with an Engineer of the said *North Level* Commissioners; and that it shall be lawful for the Commissioners of the *Tid* and *Newton* District, and the respective Proprietors of Fifty Acres and upwards of Land in the Hamlet of *Sutton St Edmund's*, lying on the North Side of the *Old South Eau Bank*, on giving the like Notice in Writing,

within the same Time, and specifying in the like Manner as last aforesaid, to appoint together One Engineer on the Part of the said last-mentioned Commissioners and Proprietors respectively to act with an Engineer of the said *North Level* Commissioners, which said last mentioned Appointment shall be made by a Majority of the said *Tid* and *Newton* Commissioners and of the said Proprietors present at a Special Meeting to be convened for that Purpose; and on Notices given to the said *North Level* Commissioners of such respective Appointments as aforesaid, they the said *North Level* Commissioners shall and they are hereby authorized and required to appoint One Engineer on their Part for every Engineer who shall be appointed on the Part of the said several other Commissioners and Proprietors, or any of them, for the respective Purposes which shall be specified in such respective Notices as aforesaid, to act with every such Engineer as last aforesaid; and the said respective Engineers shall together order and direct in what Manner such of the said Drains, Banks, Tunnels, Culverts, and Channels respectively last hereinbefore mentioned, as shall have been particularly specified and referred to in such respective Notices, shall be made and constructed, and where and in what Manner any Part or Parts of the Banks, Beds, and Sides of the said Drains respectively shall be puddled, in order that the same may respectively be effectually made and constructed according to the true Intent and Meaning of the Provision last hereinbefore contained; and the same last-mentioned Drains, Banks, Tunnels, Culverts, and Channels respectively shall be made and constructed by and at the Charge of the said *North Level* Commissioners, in conformity with such several Orders and Directions of the said Engineers respectively; and if the said *North Level* Commissioners shall at any Time or Times neglect to keep, maintain, or scour the said several last-mentioned Drains or any of them, of or to such sufficient Depth as is hereinbefore mentioned, or to keep, maintain, raise, or strengthen the said several Drains, and the Banks, Beds, and Sides thereof, or any of them, of or to such sufficient Height, Strength, Width, Dimensions, Thickness, Depth, Substance, and Consistency as will be effectual for the Purposes hereinbefore mentioned, or to keep or maintain the said several last-mentioned Tunnels, Culverts, and Channels, or any of them, of such sufficient Capacity, Strength, and Dimensions, as is hereinbefore mentioned, it shall be lawful for the Commissioners of any Drainage District within the said *North Level* and *Great Portsand*, and the Commissioners of the said *Tid* and *Newton* District, and such Proprietors of Lands as aforesaid respectively, being respectively interested in the Premises, or their respective Clerks or Officers, to give or cause to be given a Notice in Writing to the said *North Level* Commissioners, setting forth any alleged Defect in any of the said Drains, Banks, Tunnels, Culverts, or Channels respectively, or in the Depth, Height, Width, Strength, Capacity, Dimensions, Substance, or Consistency thereof, and requiring such alleged Defect to be removed, remedied, or made good by the said *North Level* Commissioners; and in case such alleged Defect shall not be removed, remedied, or made good, according to the true Intent and Meaning of this Provision, within Two Calendar Months next after such Notice, then and in every such Case it shall be lawful for such District Commissioners and Proprietors, by whom or on whose Part such Notice shall have been given as aforesaid, to appoint

same shall be respectively situate, if the same shall be for public or common Use and Convenience, in such Manner as the common and public Highways within such Parish or Hamlet are respectively repaired and maintained, but otherwise by and at the Charge of the Owner or Owners or Occupier or Occupiers of the Lands through which such last-mentioned Road, Way, or Approach shall pass; and every such last-mentioned Bridge, except the Road over the same, shall at all Times thereafter be supported, maintained, and kept in repair by and at the Charge of the said *North Level* Commissioners, out of the several Monies to be raised and received by them or their Treasurer from Time to Time under the Authority of this Act: Provided nevertheless, that every such substituted Bridge hereinbefore directed to be supported, maintained, and kept in repair by or at the Expence of other Persons or Parties than the said *North Level* Commissioners shall at all Times thereafter be kept and maintained by such Persons and Parties respectively of the full Height, Depth, Width, Waterway, and Dimensions of which the same shall have been made or constructed by or under the Authority of the said *North Level* Commissioners.

Bridge to be erected on the Turnpike Road leading from Wisbech to Tid.

LII. Provided also, and be it further enacted, That the said *North Level* Commissioners shall and they are hereby required to make and erect across the said intended *North Level Main Drain*, where the same shall intersect the Turnpike Road leading from *Wisbech* to *Tid Gote*, a good, secure, and substantial Bridge of Stone, Brick, Iron, or other durable Materials, with proper and sufficient Parapets or boarded Fences thereon and Buttresses thereto, and with a clear Roadway not less than Twenty-four Feet in Width over the same, and with an Elevation not exceeding Two Feet above the general Level of the said Road adjoining thereto; and that proper and sufficient Approaches shall be made to the said Bridge from the said Road on each Side thereof; and that the Ascent to the said Bridge shall not be more than One Foot in Thirteen Feet, and the said Parapets or boarded Fences on each Side of the said Bridge shall be not less than Four Feet above the Surface of the said Bridge; and the said Bridge, and the said Parapets or boarded Fences and Buttresses thereof, shall at all Times thereafter be repaired and maintained by and at the Expence of the said *North Level* Commissioners.

Bridge to be provided for the Hundred Acre Farm.

LIII. And whereas a Portion of the Drains, Banks, and Works by this Act authorized to be executed is intended to pass through and over a certain Farm of Arable and Pasture Land called the *Hundred Acre Farm*, situate in *Tid Saint Mary's Fen* aforesaid, and the Farm Buildings thereon will thereby be divided from the Bulk of the Lands belonging thereto; be it further enacted, That the said *North Level* Commissioners shall erect such Bridge on that Part of the said Farm where the Agricultural Road leading from the Farm Buildings to the South-eastern Portion thereof is intended to be bisected by a Portion of the Drains, Banks, and Works by this Act authorized to be executed, and make such proper Approaches thereto, as shall be necessary to be made, erected, and provided for the due and convenient Use of the said Agricultural Road, and shall defray the Expence of making

and at all future Times of repairing the same out of any of the Monies to be raised by the said Commissioners under the Authority of this Act.

LIV. And be it further enacted, That the said *North Level* Commissioners shall, with and out of the Funds to be raised and provided under the Authority of this Act, erect or cause to be erected, and at all Times thereafter repair and maintain, upon the Farm now or late in the Occupation of the Representatives of *William Johnson* deceased, in *Tid Saint Mary's Fen*, and upon each of the several Farms now in the respective Occupations of *Benjamin Ewen* and *Joseph Hannath*, lying West of the *Roman Bank* in the Parish of *Tid Saint Giles's*, One sufficient Occupation Bridge across the said *North Level Main Drain*, for the Purpose of restoring and continuing the Communication to and between the Lands belonging to the said respective Farms on each Side of the said Main Drain which will be cut off from each other by the making of the said Main Drain under the Authority of this Act, unless the said Commissioners shall make and pay (which they are hereby authorized to do) such Compensation to the several Owners of the said respective Farms, for and in lieu of such respective Bridges, as they the said last-mentioned Owners shall respectively consent and agree to accept, in which Case the said *North Level* Commissioners shall not be required, by virtue of this Act or otherwise, to erect such respective Bridges for such of the said last-mentioned Owners as shall respectively consent and agree to accept such Compensation as last aforesaid.

Bridges to be provided for other Farms.

LV. And be it further enacted, That as well the said *North Level Main Drain*, and the Banks and Forelands thereof, and the said *North Level Sea Sluice*, and the said Two Sluices at *Clows Cross*, as also the said several *North Level* Interior Drains, and the Banks thereof, and the several other Drains, Sluices, Tunnels, and Works respectively by this Act required to be made, shall be respectively made and completed by the said *North Level* Commissioners before the First Day of *November* in the Year One thousand eight hundred and thirty-two: Provided nevertheless, that if the Engineer or Engineers of the said Commissioners shall certify under his or their Hand or Hands that a further Space of Time shall be necessary for the Completion of the said Main Drain, Sea Sluice, and Interior Drains, and other Drains, Sluices, Tunnels, and Works aforesaid, or any of them, then such further Time, not exceeding the Space of One Year, shall be allowed to the said Commissioners for executing and completing the said several Works; and the Execution and Completion of the said several Drains, Banks, Sluices, Tunnels, and other Works respectively shall be certified by the Engineer or Engineers of the said Commissioners, by Writing under his or their Hand or Hands, to the said Commissioners, at one of their Meetings to be holden under the Authority of this Act.

Works to be completed within a limited Time.

LVI. And be it further enacted, That as well the said *North Level Sea Sluice*, the said *North Level Main Drain*, and the Bed, Banks, and Forelands thereof, and the said *North Level* Interior Drains, and the several Beds, Banks, and Forelands thereof, except such Parts of the said Banks and Forelands respectively, (being at the

Works and Effects vested in the *North Level* Commissioners.

[*Local.*]

16 E

Time

Time of the passing of this Act the Property of any Body, Person, or Party other than the said *North Level* Commissioners) as shall not be purchased or compensated for by the said Commissioners pursuant to the Provisions of this Act, as also the said Sluices at *Clows Cross*, and all other the Sluices, Drains, Tunnels, Dams, Bridges, Banks, Front and Back Forelands, Soak and Fence Ditches, and other Works to be respectively made, executed, erected, purchased, or taken by the said *North Level* Commissioners, or by their said Committee, under any of the Powers or Provisions of this Act, and all the Materials and Appurtenances thereto respectively belonging, and also all and singular the Goods, Chattels, Materials, Implements, and Effects whatsoever which shall at any Time or Times be purchased or provided by or at the Expence or for the Use of the said Commissioners, or from or out of any of the Taxes, Tolls, Monies, or Funds to be raised or received by them under the Authority of this Act, shall be fully and solely vested in the said *North Level* Commissioners and their Successors for the Time being for ever, who shall at all Times, by themselves or their said Committee, have full Authority and Controul over the same and every of them and every Part thereof respectively, and shall have full Power at all Times to alienate, sell, or otherwise dispose of the said Goods, Chattels, Materials, Implements, and Effects, and every or any of them and every or any Part thereof respectively, and to apply the Proceeds thereof for any of the Purposes of this Act.

Banks and Forelands not compensated for to remain vested in the Owners thereof.

LVII. Provided always, and be it further enacted and declared, That all such and so much and such Part and Parts of the several Banks and Forelands of the said several *North Level* Interior Drains (being at the Time of the passing of this Act the Property of any Body or Bodies, Person or Persons, or Party or Parties, other than the said *North Level* Commissioners,) as shall not be purchased or compensated for by the said Commissioners, or expressly vested in them under or by virtue of any of the Provisions of this Act, shall remain and be vested in and the Property of such Body or Bodies, Person or Persons, or Party or Parties respectively, according to their respective Rights and Interests in the same respectively at the Time of the passing of this Act; any thing hereinbefore contained to the contrary thereof notwithstanding.

When the Works are completed, Rights of Drainage by former Drains to cease.

LVIII. And be it further enacted, That when and after the said several Works hereinbefore required or authorized to be executed, or such of them as shall appear to the Engineer or Engineers of the said Commissioners to be necessary and sufficient for the safe and effectual Passage and Conveyance of the Waters of the said Five several Districts of the said *North Level* and *Great Portsand*, shall have been completed according to the true Intent of this Act, to the Satisfaction of the said Engineer or Engineers, and the Execution and Completion thereof shall have been certified in the Manner hereinbefore directed, and such Notice shall have been given by the said Commissioners as is hereinbefore also directed, then upon the Day to be mentioned in such Notice, and not sooner, all Rights of Drainage of or belonging to and now or heretofore used by the several and respective Owners or Occupiers of the several Lands or

Grounds

Grounds (whether the same were heretofore taxable or exempt from Taxation) lying within the said Five Districts of the said *North Level* and *Great Portsand*, or any of them, under the Authority of the said recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, by or through any of the Rivers or Drains not authorized by this Act, shall cease and be at an end, and then and thenceforth no Drain, Cut, Outlet, Mill, Engine, or other Device shall be made, cut, set up, continued, retained, used, or employed for leading, throwing, passing, or conveying any of the Waters of any of the said Five Districts, but such only as shall lead, throw, pass, or convey the respective Waters of the said several Districts into the said several Interior Drains hereinbefore allotted to or for them respectively, and thereby into the said intended Main Drain, and through and along the said Main Drain, into and through the said Sea Sluice, into the said *Nene Outfall Cut*, and so to Sea.

LIX. And be it further enacted, That if, after the said several Works shall have been completed, and such Certificate and Notice of the Completion thereof shall have been given as last aforesaid, any Person or Persons shall make, cut, set up, continue, use, or employ any Drain, Cut, Outlet, Mill, Engine, or other Device, for leading, throwing, passing, or conveying the Waters of any of the said Five Districts, other than such as shall lead, throw, pass, or convey the respective Waters of the said several Districts into the said several Drains hereinbefore allotted to or for them respectively, it shall be lawful for the said *North Level* Commissioners or any Five or more of them, by Warrant under their Hands, to order and cause the same to be respectively dammed, stopped up, disused, or discontinued; and if any Person shall at any Time thereafter continue, use, or employ, or cause to be continued, used, or employed, any such Drain, Cut, Outlet, Mill, Engine, or other Device which shall have been so ordered to be dammed, stopped up, disused, or discontinued as aforesaid, every such Person shall forfeit and pay to the said *North Level* Commissioners as a Penalty the Sum of Fifty Pounds for every Day or Portion of a Day during which he shall so continue, use, or employ the same, or shall cause the same to be so continued, used, or employed.

Power for the Commissioners to stop up any Drain, &c. other than those allotted; and Parties using same to be subject to a Penalty.

LX. Provided always, and be it further enacted, That in the meantime, until and up to the Day mentioned in such Notice as last aforesaid, it shall be lawful for all Commissioners of Districts, and all other Persons whomsoever, to continue, retain, use, work, support, maintain, and employ all such Drains, Cuts, Outlets, Mills, Engines, and Devices as they are now respectively by Law entitled to use, work, or employ for the Passage or Conveyance of the Waters of the said Five Districts or any of them to, into, and through the several Drains allotted to or for them respectively in or by the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second, and from and out of the said several Drains, by and along their present Watercourses and Sluices, to Sea.

Present Drains to be used until Notice given of the new Works being completed.

LXI. Provided also, and be it further enacted, That when and after the several Drains and Works by this Act authorized to be made as aforesaid shall have been fully made and completed, it shall nevertheless

Power for Owners and Occupiers of Lands in the

Fourth District to continue to drain by Nail's Hundred Mill for a limited Time.

nevertheless be lawful for the Owners and Occupiers of the Lands lying in the Fourth of the said Districts, now draining their Waters by a certain Mill called *Nail's Hundred Mill* into the present Counter Drain under the North Bank of *Moreton's Leam*, to continue so to drain their said Waters by the said Mill into the said Counter Drain, and thereby in their present Course to *Clows Cross* aforesaid, and thence into the said Main Drain, unless and until the said *North Level* Commissioners shall, with and out of the Monies to be raised and received by them under the Authority of this Act, take down the said Mill, and remove the same to some other convenient Place within the said Fourth District, whereby the Waters of the said last-mentioned Lands may be effectually drained and conveyed into some Part of the said *New Wryde* or of the said *Thirty Feet Drain*, and thereby to *Clows Cross* aforesaid, and thence into the said Main Drain, or unless and until the said Mill shall have become useless and unnecessary by reason of the several Works by this Act intended and authorized to be made, or any of them.

Commissioners to place Tunnels for Sutton Saint Edmund's late Commons.

LXII. And be it further enacted, That the said *North Level* Commissioners shall and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to make and place, or cause to be made and placed, in, through, or under each of the Banks of the said Interior Drain to be called the *New South Eau*, adjoining to the late *Great* and *Little Commons* in *Sutton Saint Edmund's* in the Fourth of the said Five Districts, in some convenient Part or Parts of each of the said Banks, One or more Tunnel or Tunnels of sufficient Dimensions and Capacity, with proper and sufficient Pointing Doors and Slackers thereto, and to make or cause to be made sufficient Drains and other Works in the said late Commons respectively, to communicate with the said respective Tunnels, for the free and uninterrupted Discharge at all Times of the Waters of the said late Commons respectively, into the said *New South Eau*, and by and through the said *New South Eau*, with the other Waters of and from the said Fourth District, to Sea; and the Costs and Charges of making and placing the said Tunnels, Drains, and Works respectively, and of repairing, renewing, scouring, and maintaining the same from Time to Time and at all Times, shall be borne and paid by the Owners and Occupiers of the several Lands lying within the said *Great* and *Little Commons* respectively, for the Benefit of which the same shall be so respectively made and placed as aforesaid, rateably and proportionably by the Acre for every Acre of the said Lands belonging to such Owners respectively; and such Costs and Charges shall and may be raised, levied, recovered, and received by the said *North Level* Commissioners, or by any of their Officers, or by the Commissioners acting under or by virtue of the said recited Act passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, or any of their Officers, in such and the same Manner as they the said respective Commissioners are by this Act or by the said recited Act last mentioned authorized to raise, levy, recover, or receive any Rates, Taxes, or other Monies in upon, from, or in respect of the said last-mentioned Lands respectively or any of them; and the said last-mentioned Tunnels, Drains, and Works respectively shall be at all Times under the Management and

Controul

Controul of the said Commissioners acting under and by virtue of the said recited Act passed in the Forty-ninth Year aforesaid, subject nevertheless to the several Regulations and Provisions of this Act, so far as the same shall be respectively applicable thereto.

LXIII. And be it further enacted and declared, That the Waters of the said Five several Districts shall run and be conveyed to Sea in; by, and through the several Drains and Sluices hereinbefore mentioned and allotted to or for them, or authorized to be used by or for them respectively, without any Let, Hindrance, Obstruction, or Controul of, from, or by the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, or their Successors, or of, from, or by the said Governor, Bailiffs, and Conservators, or their Successors, in any Manner or under any Right whatsoever; and that the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, or their respective Successors, shall not at any Time hereafter have, use, or exercise any Power, Jurisdiction, or Authority whatsoever over the said *North Level* Commissioners or their Successors, or in or over any Part of the Lands or Grounds comprised in any of the said several Districts, or in or over any River, Drain, Bank, Sluice, Engine, or other Work already made or hereafter to be made, continued, or used by the said *North Level* Commissioners by virtue of and under the Authority of this Act, or by this Act placed under the Controul or Direction of the said Commissioners, other than and except the particular Works which are vested in or placed under the particular Care, Management, and Direction of the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, by virtue of the said several hereinbefore recited Acts or any of them, and which are not by this Act vested in or placed under the Care and Management of the said Commissioners, and except the several Powers and Authorities vested in the said Governor, Bailiffs, and Commonalty, and the said Governor, Bailiffs, and Conservators respectively, by the said recited Acts, or any of them, for levying, recovering, and receiving the Taxes payable to them respectively by the said Acts or any of them, and except the several Rights, Powers, and Authorities vested in the said Governor, Bailiffs, and Commonalty, as Commissioners of Sewers within and without the said Great Level.

The Waters to be conveyed through their respective Drains and Sluices without Obstruction from the Bedford Level Corporation.

LXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said *North Level* Commissioners, or any Person acting under their Authority, to make or place any Sluice, Tunnel, or other Work in or upon any of the Banks within or adjoining to the said *North Level* and *Great Portsand*, or either of them, which do now or shall hereafter belong to or be under the Controul or Authority of the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators of the said *Bedford Level*, without the previous Consent and Order of the said Governor, Bailiffs, and Conservators, other than such Sluices, Tunnels, and other Works as are by this Act particularly specified and authorized to be respectively made, placed, and executed; but that all such Rights, Powers, and Jurisdictions

No Sluice to be placed in any of the Banks of the Bedford Level Corporation, without their Consent.

as the said Governor, Bailiffs, and Commonalty, and Governor, Bailiffs, and Conservators, now respectively have in and over the said Banks or any of them, and the Admission and Passage of Waters through the same respectively, shall remain in as full Force and Effect to all Intents and Purposes whatsoever as if this Act had not been passed.

Commissioners to fix Gauges to show the Height of the Waters at certain Places.

LXV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby required, when and so soon as the said several Drains and Sluices hereinbefore required and authorized to be severally made and constructed shall have been completed, to fix and mark, or cause to be fixed and marked, upon or near to the said *North Level Sea Sluice*, such a Gauge in Feet and Inches as will from Time to Time and at all Times designate the Height of the Water in the said *North Level Main Drain* above the Cill of the said last-mentioned Sluice; and also to fix and mark, or cause to be fixed and marked, at or near to *Clow's Cross* aforesaid, such other Gauges in Feet and Inches as will from Time to Time and at all Times designate the Height of the Waters above the Cill of the said *North Level Sea Sluice*, at the Places where such Gauges shall be respectively fixed, as well in the said *North Level Main Drain* as in the said Interior Drains, to be respectively called the *New South Eau* and the *New Wryde* as aforesaid; and also to fix and mark, or cause to be fixed and marked, such other Gauges in Feet and Inches as will from Time to Time and at all Times designate the Height of the Water above the Cill of the said *North Level Sea Sluice*, in such other Parts of the said *New South Eau* and of the said *New Wryde*, and of all or any of the said Interior Drains hereinbefore particularly allotted and described, as the said Commissioners or their Engineer may from Time to Time think proper and convenient for the Purpose of regulating the throwing of Water by Mills, Engines, or other Devices, from the Lands within any of the said Five several Districts or Divisions into any of the said allotted Interior Drains, in manner hereinafter provided.

Power for Commissioners to regulate the Gauges for throwing Waters.

LXVI. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and empowered, from Time to Time at their yearly General Meetings, or at any Special Meeting or Meetings, to order, direct, and regulate a general Height, Level, and Gauge at and to which the Mills and Engines which shall from Time to Time be worked, used, or employed for the Drainage of the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand* shall or may throw or discharge the Waters from the said several Lands towards or into the said several allotted Interior Drains, in order that all the said Lands may obtain and have a fair, equal, and general Drainage and Discharge for their Waters through the said several Interior Drain, to and into the said *North Level Main Drain*, and thereby to Sea, by means of the several Works by this Act authorized to be made and executed; and if any Mill, Engine, or other Device shall be worked, used, or employed, or be continued to be worked, used, or employed, for throwing or discharging the Waters from any of the said Lands within the said Five Districts or any of them into the said several Interior

Interior Drains or any of them, when and so long as the Waters therein respectively shall have been raised to and shall continue at a greater Height, Level, or Gauge than shall be allowed by any such Order, Direction, or Regulation of the said Commissioners, it shall be lawful for the said Commissioners, or any Two or more of them, by Warrant under their Hands, to order and cause the working of such Mill, Engine, or other Device to be discontinued until the said Waters shall be respectively lowered to such Height, Level, or Gauge, in conformity with any such Order, Direction, or Regulation of the said Commissioners as aforesaid; and every Person who shall work, use, or employ, or continue to work, use, or employ, any Mill, Engine, or other Device, contrary to this Provision, shall forfeit and pay to the said Commissioners the Sum of Fifty Pounds for every Day or Portion of a Day on which such Mill, Engine, or other Device shall be so worked, used, or employed as last aforesaid.

LXVII. And be it further enacted, That if at any Time or Times hereafter any Breach or overflowing of the Banks of the said *North Level Main Drain* or either of them shall happen, by means of the Tidal Waters running from and out of the said *Nene Outfall Cut* into the said Main Drain, or by means of the Land Waters running from and out of the said *North Level* and *Great Portsand* into the same Drain, or if by either of the Means aforesaid or otherwise the Water in the said Main Drain shall at any Time or Times rise to and stand at less than Twenty-four Inches from the Surface Top of either of the Banks of the said Main Drain for the Space of Three Hours at any one Time, then and in any such Case, and so often as it shall happen, after Notice in Writing given to the Officer or Sluice Keeper of the said *North Level* Commissioners resident at or near to *Clow's Cross* aforesaid, by the Commissioners for Drainage acting under the said Act passed in the Thirteenth Year of the Reign of His said late Majesty King *George* the Third, or by their known Superintendent or Officer, or by any Two Owners or Occupiers of Land lying within the Hundred of *Wisbech*, or next adjoining to the said Main Drain on either Side thereof, the said Two Sluices hereinbefore directed to be erected and placed over the said *New South Eau* and *New Wryde*, at or near to *Clow's Cross* aforesaid, shall be immediately shut and closed by the said Officer or Sluice Keeper of the said *North Level* Commissioners, and shall be kept and continued shut and closed until the Breach of the said Bank or Banks shall have been effectually stopped and repaired, or the overflowing thereof shall have ceased, or the Waters in the said Main Drain shall have been lowered and reduced, so as to be at least Twenty-four Inches below the Surface Top of the said Banks; and in case of the Absence of the said Officer or Sluice Keeper from his said Place of Residence, or in case of his Refusal or Neglect, upon any such Notice as last aforesaid, to shut and keep closed the said several last-mentioned Sluices in manner aforesaid, or in case there shall be no such Officer or Sluice Keeper there resident, then without any such Notice as aforesaid, it shall be lawful for the said Commissioners acting under the said Act of the Thirteenth Year aforesaid, or their known Superintendent or Officer, or for such Two Owners or Occupiers as aforesaid, to cause the said respective Sluices to be shut and closed, and to be kept and continued so shut and closed, until

Power for
Tid and
Newton
Commission-
ers, and Pro-
prietors of
certain
Lands, to
shut the
Clow's Cross
Sluices on
Breach or
overflowing
of Banks of
the Main
Drain, &c.

such

such Breach of Bank or overflowing shall be well and effectually stopped and repaired, or have ceased, or until the Water in the said Main Drain shall be lowered and reduced below the Height of Twenty-four Inches from the Surface Top of the said Banks of the said Main Drain ; any thing contained in the said hereinbefore recited Acts and this Act, or any of them, to the contrary thereof notwithstanding.

Commis-
sioners of the
First,
Second, and
Fourth Dis-
tricts not to
be prevented
from main-
taining their
Drains, &c.

LXVIII. And be it further enacted, That nothing in the said recited Acts or in this Act contained shall extend or be construed to extend to prevent the respective Commissioners of the First, Second, and Fourth of the said Five several Districts of the said *North Level* and *Great Portsand* from widening, deepening, cleansing, scouring out, and maintaining from Time to Time, by and out of the several Rates, Taxes, or Funds authorized to be severally rated, taxed, charged, or received by them, or placed under their Controul or Authority respectively, all such Drains, Cuts, Watercourses, Outlets, Sluices, Banks, and other Works and Things within their said respective Districts as shall from Time to Time be necessary or proper for providing for and securing unto the several Owners and Occupiers of the several Lands and Grounds lying within the said last-mentioned Districts respectively a fair, equal, and general Passage and Conveyance of their Waters from their said Lands into the several Interior Drains hereinbefore allotted unto and for the said Districts respectively, according to the Provisions and true Intent and Meaning of this Act.

The Owners
in Third Dis-
trict not to
be prevented
from main-
taining the
Drains, &c.

LXIX. And be it further enacted, That nothing in the said recited Acts or in this Act contained shall extend or be construed to extend to prevent the Owner or Owners of the Lordship of *Thorney*, and of the Lands comprised in the Third of the said Five several Districts, from cleansing, widening, deepening, cutting, building, erecting, making, supporting, and maintaining, from Time to Time, at his, her, and their own Cost and Charge, all such Cuts, Drains, Banks, Dams, Outlets, Mills, Engines, and other Works, within, upon, and through the said Third District, for draining and defending the same, and the Lands lying therein, and for conveying the Waters thereof into the several Drains hereinbefore particularly allotted for the Waters of the said Third District, as the said last-mentioned Owner or Owners shall from Time to Time think necessary or proper, subject nevertheless to such Restrictions and Regulations as are by this Act provided and made applicable thereto: Provided nevertheless, that no Sluice, Dam, or other Work shall be erected or placed, by or under the Authority of the said last-mentioned Owner or Owners, in, upon, or across the said Interior Drain to be called the *New South Eau*, whereby the Passage of any of the Waters of and from the said First and Fifth Districts, or either of them, for the Purposes of Drainage, according to the Provisions and true Intent and Meaning of this Act, shall or can be obstructed, impeded, interrupted, or prejudicially affected in any Manner howsoever.

Liberty for
the Owners
in the Third
District to
remove

LXX. And be it further enacted, That notwithstanding any thing in the said recited Acts or in this Act contained to the contrary, it shall be lawful for the said Owner or Owners of the said Lordship of *Thorney*, and of the Lands comprised in the said Third District,

at any Time or Times after the Completion of the said *North Level Main Drain*, and Interior Drains, and the said Two *Clow Cross* Sluices, and the said other Works by this Act authorized to be made, shall have been so certified as is herein before mentioned, at his and their own Costs, to remove and take away all or any of the Dams by the said recited Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second directed or authorized to be made, and now existing, in the said Drain to be called the *Gold Dyke*, and in the *Old Wryde* adjoining thereto, and in lieu thereof, at his and their own Costs, to make put down, and maintain One or more new Dam or Dams, with suitable Sluices and other Works, in or by the Side of or leading into any other Part or Parts of the said *Gold Dyke*, between the said Drain to be called the *New South Eau* and the said *Old Wryde*, for the purpose of preventing the Junction of the Waters respectively passing through the said *New South Eau* and *New Wryde*, and from Time to Time to alter the Situation of the said Dam or Dams, or any of them, by placing the same in any other Part or Parts of the said *Gold Dyke*, between the said *New South Eau* and the said *Old Wryde*, as the said last-mentioned Owner or Owners shall from Time to Time think expedient or proper for the Purpose last aforesaid.

Dams in the Old Wryde and Gold Dyke, and to make other Dams in Gold Dyke.

LXXI. And be it further enacted, That nothing in the said recited Acts or in this Act contained shall extend or be construed to extend to prevent the Owner or Owners of the Manor of *Crowland*, and of the Lands comprised in the Fifth of the said Districts, (except of the said Lands formerly the Property of *Beverley Butler* Esquire, and of Eighteen Acres of Land held by the Parson of *Crowland* for the Time being, and of Four Acres of Land called *Place Yard*, which said Eighteen Acres and Four Acres of Land last mentioned cannot be drained according to the Intention of this Act but through some of the Drains or Works belonging to such last-mentioned Owner or Owners,) from cleansing, widening, deepening, cutting, building, erecting, making, supporting, and maintaining, from Time to Time, at his, her, or their own Cost and Charge, all such Cuts, Drains, Banks, Dams, Outlets, Mills, Engines, and other Works, within, upon, and through the said Fifth District, for draining and defending the same and the Lands lying therein, and for conveying the Waters thereof into the several Drains hereinbefore particularly allotted for the Waters of the said Fifth District, (including therein the said Eighteen Acres and Four Acres of Land hereinbefore respectively mentioned, if such last-mentioned Owner or Owners shall think proper,) as the said last-mentioned Owner or Owners shall from Time to Time think necessary or proper, subject nevertheless to such Restrictions and Regulations as are by this Act provided and made applicable thereto; but that no such Works as last above mentioned shall be made within, upon, or for the said Lands formerly of the said *Beverley Butler* without the Consent of the Owner or Owners or reputed Owner or Owners of the said last-mentioned Lands first obtained in Writing for making any such last-mentioned Work.

The Owner in the Fifth District not to be prevented from maintaining the Drains, &c.

LXXII. And be it further enacted, That the present and future Owners and Occupiers for the Time being of the Lands lying within

[Local.]

16 G

the

The Owners in the Fifth District to

maintain the South Bank of the Welland River.

the said Fifth District called *Great Portsand* (save and except the Owners and Occupiers of the said several excepted Lands formerly belonging to the said *Beverley Butler*, and of the said excepted Land held by the Parson of *Crowland*, and of the said excepted Land called *Place Yard*,) shall and they are hereby required, at their own exclusive proper Costs and Charges, from Time to Time and at all Times hereafter, to make, raise, strengthen, and maintain the South Bank of the *Welland* River adjoining to and bounding the said Fifth District, from a certain Place called *West Dam* to a certain other Place called *Brotherhouse Bar*, so that the said Bank may and shall at all Times be made and kept of such Height and Dimensions, and in such good State and Condition, as by the said *North Level* Commissioners shall from Time to Time be thought necessary and be required for defending the Lands of the said Five several Districts, or any of them, from and against the Waters of the said *Welland* River, by any Breach or overflowing of the said South Bank thereof; and if the said last-mentioned Owners or Occupiers (except as aforesaid) shall not within Fourteen Days next after Notice and Direction in that Behalf in Writing, under the Hands of Five or more of the said *North Level* Commissioners, or under the Hand of the known Surveyor or Officer of the said Commissioners, left at the Manor House in the said Manor of *Crowland*, and also affixed on the West Door of the Abbey Church of *Crowland* aforesaid, cause the said South Bank of the said *Welland* River, from *West Dam* to *Brotherhouse Bar* aforesaid, or any Part or Parts thereof, to be raised to and maintained of such Height and Dimensions and in such good State and Condition as last mentioned, the said *North Level* Commissioners shall and may and they are hereby authorized to cause the same to be done in a proper and effectual Manner, and by Warrant under the Hands and Seals of any Two or more of the said Commissioners to authorize their Collector or any other Person or Persons to levy and raise the Amount of the Charges and Expences of the doing thereof (such Amount to be specified in the said Warrant) by Distress and Sale of any Goods or Chattels which shall at any Time thereafter be found on the said Lands of the said last-mentioned Owner or Owners (except as aforesaid), or any of them, or on any Part thereof, whether the same shall be in the Possession of the said last-mentioned Owner or Owners (except as aforesaid) or any of them, or in the Possession of his, her, or their Tenant or Tenants; rendering the Overplus of such Distress, if any, after Payment of the Costs thereof, to the Owner or Owners of the said Goods and Chattels.

In case of Difference of Opinion about the said Works, the same to be determined by Engineers.

LXXIII. Provided always, and be it further enacted, That if any Difference of Opinion shall at any Time arise between the said last-mentioned Owner or Owners and the said *North Level* Commissioners, touching the Necessity or Expediency of any Work or Works which the said *North Level* Commissioners shall at any Time or Times think necessary or require to be done in or for making, raising, heightening, strengthening, or maintaining the said South Bank of the said *Welland* River, or defending the Lands in the said Five Districts or any of them, as last aforesaid, it shall be lawful for the said last-mentioned Owner or Owners to require that the

the

the Necessity or Expediency of the said Work or Works, and the Extent thereof, shall be ascertained and determined by Engineers, and in such Case to appoint an Engineer on his, her, or their Part for that Purpose; and on his, her, or their appointing such an Engineer, and giving Notice of his Appointment to the said *North Level* Commissioners, within Fourteen Days next after such Notice given by or on the Part of the said *North Level* Commissioners as last aforesaid, the said *North Level* Commissioners shall also on their Part appoint an Engineer for the same Purpose; and the said Two Engineers shall ascertain and determine the Necessity or Expediency and Extent of such Work or Works which shall be so required to be done as aforesaid; and in case of any Difference of Opinion between the said Two Engineers touching the Necessity, Expediency, or Extent or the Mode of Execution of any such Work or Works, or of any Part or Parts thereof, an Umpire shall be appointed by the said Engineers, which said Umpire shall determine of and concerning the Matter or Matters in difference between the said Engineers referred to him touching such Work or Works; and the said Work or Works shall be made and executed to the Extent and in the Manner which shall from Time to Time be determined and directed by the said Engineers, or their Umpire as aforesaid; and the Costs of the said Engineers and their Umpire shall from Time to Time be paid and levied in the Manner hereinbefore directed of and concerning the Charges and Expences of executing the said Work or Works.

LXXIV. And be it further enacted, That it shall not be lawful for any Person whomsoever (except the said *North Level* Commissioners, or any Person acting under their Authority,) to erect or place, or to cause or suffer to be erected or placed, any Tenement, Building, or Erection whatsoever upon the Banks of the said *North Level Main Drain*, or other the Drains by this Act authorized to be made, or any Part thereof respectively, or within the Distance of Twenty Yards from the Centre of any such Bank, or by any other Act to endanger the Security of the said Drains or Banks or any of them, or to diminish the Waterway in or between the same, or to impede the Drainage or Navigation through or by the said Main and other Drains or any of them, or the Passage of the Waters along the same, or along the Forelands thereof; and that no Person shall at any Time break, dig, plough, reduce, or injure the said Banks and Forelands or any of them, or the Sward thereof, nor stock or depasture, or permit to be stocked or depastured, the same or any Part thereof, with any Beast or Cattle, except only Sheep and Lambs; and every Person who shall wilfully or knowingly offend in any of the Cases aforesaid shall forfeit and pay to the said Commissioners as a Penalty any Sum not exceeding Twenty Pounds, and the like Penalty for every Day on which any such Offence shall be continued.

Buildings not to be erected so as to impede Drainage or Navigation, nor the Banks to be injured.

LXXV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners from Time to Time to destroy or cause to be destroyed all such Moles, Rabbits, and Vermin as shall be found or concealed in or about any Bank or Banks, or any Lands, Marshes, or Grounds adjoining or lying near to any Bank or Banks or Work or Works by this Act authorized to be made, and for that Purpose

Power to destroy Vermin.

Purpose to employ such Person or Persons at such Wages or Salaries as they the said Commissioners shall from Time to Time think proper ; and it shall be lawful for such Person or Persons to enter into and upon the said Lands, Marshes, or Grounds, or any of them, for that Purpose.

Penalty for not roding or scouring out Ditches.

LXXVI. And be it further enacted, That if the Occupier or Occupiers of any of the Lands lying within the said First, Second, and Fourth Districts, or any of them, to which any Drove-way Ditch, Outring Ditch, or Division Ditch doth or shall belong, or which shall be bounded by any Soak or Fence Ditch, made or to be made at the Back of any of the Banks or Works belonging to the said *North Level* Commissioners, shall neglect or refuse sufficiently to rode, scour, cleanse, open, or repair such Ditch, or to make the same of a sufficient Depth, and of the Width of Nine Feet at least at the Top, and Four Feet and an Half at least at the Bottom, or to make a sufficient Tunnel for the Passage of Waters in and under any Gateway or Roadway in, over, or across any such Ditch, after Ten Days Notice in Writing given to him, her, or them, or left at his, her, or their usual or last Place of Abode, from Time to Time, for that Purpose, by the Superintendent or any other Officer of the said *North Level* Commissioners, or by any Person or Persons employed by the said Commissioners for that Purpose, such Occupier or Occupiers respectively shall for every such Neglect or Refusal forfeit and pay to the said Commissioners as a Penalty any Sum not exceeding One Shilling for every Rod so neglected to be roded scoured, cleansed, opened, deepened, and widened as aforesaid ; and it shall be lawful, from Time to Time, for such Superintendent or other Officer or Person employed as aforesaid, to cause such Ditch ; at the Expence and Charge of such Occupier or Occupiers respectively ; to be roded, scoured, cleansed, opened, repaired, and deepened in a sufficient Manner, and made of the Width aforesaid ; and where any Gateway or Roadway shall have been made in, over, or across any such Ditch, without a sufficient Tunnel, or any Tunnel therein shall have become decayed or insufficient, then to cause such Way to be taken up, and such Ditch to be made of the usual or proper Width and Depth, with a sufficient Tunnel in any such Gateway or Roadway, at the Expence and Charge of such Owner or Occupier, and by Warrant or Precept under the Hands of the said *North Level* Commissioners, or any Two or more of them, to levy such Penalty, and also all such Charges and Expences as shall be paid or incurred by the said Commissioners in or about the Premises, upon such Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, and such Penalty and Charges, when so levied and recovered, shall be paid to and applied by the said Commissioners for the Purposes of this Act.

When the Main Drain and other Works are completed Commissioners to have Power to sell so

LXXVII. And be it further enacted, That when and so soon as the said intended *North Level* Sea Sluice, Main Drain, and Interior Drains, by this Act authorized and required to be made and executed by the said *North Level* Commissioners, shall have been fully made and completed, and the Completion thereof shall have been certified, it shall be lawful for the said Commissioners, or their said Committee by their Order, and they are hereby

authorized, either by Public Auction or Private Contract, at such Time or respective Times, and in such Portions or Parcels, and for such Price or Prices, and in such Manner, as to them in their Discretion shall appear proper and reasonable, to make sale and absolutely dispose of so much and such Parts of the Beds, Banks, and Forelands of the said *Old South Eau* and *Shire Drain* respectively, not being a public or common Highway, and not belonging to any Person or Persons as the exclusive Owner or Owners thereof, other than the said *North Level* Commissioners, as shall by the making of the several Drains and Works by this Act authorized to be made and executed, and by the Provisions of this Act, be rendered useless or unnecessary, and shall no longer be required for any of the Purposes of this Act, (subject nevertheless and without Prejudice to such existing Rights of depasturing the Herbage of the respective Banks of the said *Old South Eau* and *Shire Drain* respectively as are now vested in or enjoyed by any Person or Persons entitled thereto, and subject and without Prejudice to such existing Rights of Drainage by and through the said *Shire Drain* and other Rights as are by this Act reserved to any Person or Persons whomsoever,) and also (subject as aforesaid) to make sale and absolutely dispose of all such Encroachments as shall have been made at any Time within Twenty Years last before the passing of this Act upon the said *Shire Drain*, or the Bed, Banks, or Forelands thereof, (with Liberty nevertheless for the Person or Persons by whom such Encroachments shall have been respectively made, or who shall be in possession thereof respectively, to remove therefrom, for his, her, or their own Use, all Buildings and Erections thereon belonging to him, her, or them respectively,) and also all such Roads and Ways as shall be rendered useless and unnecessary by the Execution of any of the Works by this Act authorized to be made, and in lieu of which other sufficient Roads and Ways (if Occasion shall have required) shall have been provided by the said Commissioners, pursuant to the Provisions of this Act, and all such Part or Parts as shall not be wanted for any of the Purposes of this Act of any Lands or Buildings which shall have been purchased by the said Commissioners or their said Committee, pursuant to any of the Provisions hereof; and the several Receipts of the Treasurer for the Time being of the said *North Level* Commissioners, for the Purchase Money or Purchase Monies arising by or from any such Sale or Disposal as aforesaid, or for any Part or Parts thereof, shall at all Times be sufficient and effectual Releases and Discharges to the several Purchasers of the said Premises respectively, by whom such Money or Monies shall be paid, for so much Money as shall be thereby acknowledged to be received; and upon every such Sale and Payment of the Purchase Money as aforesaid there shall be delivered to the Purchaser or Purchasers, together with the Receipt of the said Treasurer, a Certificate in Writing under the Hands of any Five of the said Commissioners, certifying the Sale of the Premises therein mentioned to such Purchaser or Purchasers, and the Amount of the Purchase Money for the same; and thereupon the several Premises so certified to be sold as aforesaid shall thenceforth, by the Authority of this Act, and by virtue of such Certificate as aforesaid, become, be, and remain fully and absolutely vested in some

much of the South Eau and Shire Drain as shall not be wanted for the Purposes of this Act.

[Local.]

16 H

Person

Person or Persons to be named in such Certificate, his Heirs and Assigns, in Trust for the Purchaser or Purchasers of the said Premises respectively to be named in such Certificate, and his, her, or their Heirs and Assigns for ever (but subject and without Prejudice as aforesaid): Provided nevertheless, that no Sale of any Part of the Bed, Banks, and Forelands of the said *Old South Eau* shall at any Time be made by the said Commissioners without the Consent of the said Governor, Bailiffs, and Conservators of the said *Bedford Level*, to be testified by some Order in Writing under the Corporate Seal of the said *Bedford Level* Corporation.

Premises to be first offered to the Owners of adjoining Lands.

LXXVIII. Provided always, and be it further enacted, That before any such Sale or Disposition of any such Hereditaments or Premises as last mentioned shall be made to any other Person or Persons, the said *North Level* Commissioners shall offer to sell and dispose of the same to the Owner or respective Owners or reputed Owner or Owners of the Lands respectively thereto adjoining, and the Price at which the same shall be sold as last aforesaid shall be adjusted and settled by and between the said Commissioners and Owner or Owners respectively; and if they cannot agree respecting the same, then such Price shall be adjusted and settled by a Jury, in like Manner as the Price for any Land to be taken by the said Commissioners for any of the Purposes of this Act is hereby authorized to be settled in case of Difference or Dispute as to the Value thereof; and if such Owner or Owners or reputed Owner or Owners shall refuse to purchase the same Premises respectively, or to comply with the Direction hereinbefore contained for adjusting and settling the Price thereof, then it shall be lawful for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, Division, Isle, or Parts where such Premises shall be respectively situate, stating that such Offer was made by or on behalf of the said Commissioners, and that such Owner or Owners or reputed Owner or Owners, had refused to purchase such Premises, or to comply with such Direction as last aforesaid, or had not agreed with the said Commissioners (as the Case may be); and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made and not agreed to, and such Refusal was given, or such Agreement was not made (as the Case may be).

Monies to be applied to the Purposes of this Act.

LXXIX. And be it further enacted, That all and singular the Monies to arise and be produced by every or any such Sale or Sales as aforesaid, after Payment of all Charges and Expences, shall be wholly applied by the said *North Level* Commissioners to and for the several Purposes of this Act, or any of them.

Lands in Sutton Saint Edmund's, &c. not to be prevented from discharging

LXXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent or obstruct the Owners or Occupiers of the several Lands and Grounds situate and lying within the Hamlet of *Sutton Saint Edmund's* in the said County of *Lincoln*, on the North Side of a certain Bank called *South Eau Bank*, or the Owners or Occupiers of the several Lands and Grounds situate

situate and lying within the Hamlet of *Sutton Saint James*, in the said County of *Lincoln*, on the North Side of the said *South Eau Bank*, and on the North and North-west Sides of *Shire Drain*, or the Owners or Occupiers of the several Lands and Grounds situate and lying within the Parish of *Tid Saint Mary's* in the same County, in certain Fields there, respectively called and known by the Names of *Rippingale Field*, *Chapel Field*, and *Tilney Field*, and in Part of a certain other Field in the said last-mentioned Parish called *Dunton Field*, now respectively draining into and by the said *Shire Drain* to Sea, from draining and discharging, at their own Costs and Charges, the Waters from the said several Lands and Grounds, or any of them, or any Part thereof respectively, into the said *Shire Drain*, and by and through the same Drain to and into the said intended *North Level Main Drain* at the Place of its intended Intersection of the said *Shire Drain* near to the said *North Level Sea Sluice*, and by and through the said Sea Sluice into the said *Nene Outfall Cut*, and so to the Sea, at and for and during such and the same Time or respective Times, and as fully and effectually in all respects, as they the said last-mentioned Owners and Occupiers are now respectively entitled to drain and discharge the said Waters respectively into and by the said *Shire Drain* to Sea, or to prevent or obstruct the said Owners and Occupiers respectively, or any of them, from cleansing, scouring out, or deepening the said *Shire Drain* from Time to Time at their sole Discretion, or removing or preventing any Encroachments, Obstructions, Impediments, or Annoyances therein, or in or upon the inner Slopes or Forelands of the Banks thereof (save and except as is hereinafter mentioned); and the said *North Level Commissioners* shall not, nor shall any Person claiming under them, or acting or claiming to act under their Authority, or under the Authority of this Act, erect or place, or cause to be erected or placed, in or upon any Part of the said *Shire Drain* situate between a certain Water Engine called *Woolmore's Mill*, in the said Hamlet of *Sutton Saint Edmund's*, and the said *North Level Main Drain* at its said Intersection of the said *Shire Drain*, or in or upon the said *North Level Main Drain* between its said Intersection of the said *Shire Drain* and the said *North Level Sea Sluice*, any Dam, Sluice, Tunnel, Work, or Obstruction whatsoever, (save and except as is hereinafter mentioned,) whereby the Course or Passage of the Waters from the said several last-mentioned Lands and Grounds, or any of them, into, by, and through the said *Shire Drain* to and into the said Main Drain at its said Intersection of the said *Shire Drain*, and by and through the said Main Drain downwards to and through the said Sea Sluice into the said *Nene Outfall Cut*, shall or may be obstructed or impeded in any Manner howsoever; nor shall the said *North Level Commissioners*, or any Person claiming under them, or acting or claiming to act under their Authority, or under the Authority of this Act, prevent or obstruct the said Owners and Occupiers respectively, or any of them, from cleansing, scouring out, or deepening the said *Shire Drain* from Time to Time at their sole Discretion, or from removing or preventing any such Encroachments, Obstructions, Impediments, or Annoyances therein or thereupon, or in or upon the Inner Slopes or Forelands of the Banks thereof (save and except as is hereinafter mentioned).

their Waters
by Shire
Drain.

Power for
the Commis-
sioners to fix
a Weir
across the
End of Shire
Drain.

LXXXI. Provided always, and be it further enacted, That notwithstanding the Provision last hereinbefore contained, it shall be lawful for the said *North Level* Commissioners to place and fix, or cause to be placed and fixed, and at all Times to keep and maintain, at and across the said *Shire Drain*, at the Place where it will be intersected by the said *North Level Main Drain*, One or more Weir or Weirs, or Overfall or Overfalls, with proper and sufficient Buttresses, Fences, Supports, and Foundations, for the Purposes of preventing any Water from passing out of the said *Shire Drain* into the said Main Drain at a lower Level or Fall at such Weir or Weirs, or Overfall or Overfalls, than Twelve Inches below the Cill of a certain Sluice, called *Hill's Sluice*, situate in the said *Shire Drain*, and of preventing any Soil whatsoever from passing out of the said *Shire Drain* into the said Main Drain, so that such Weir or Weirs, or Overfall or Overfalls, shall be placed, fixed, kept, and maintained at a Level of at least Twelve Inches below the Cill of the said last-mentioned Sluice; and that in case the Owners of the said several last-mentioned Lands and Grounds in *Sutton Saint Edmund's*, *Sutton Saint James's*, and *Tid Saint Mary's* aforesaid, shall at any Time thereafter be desirous of lowering, removing, or taking away the said *Hill's Sluice*, or the Cill or Floor thereof, or of passing or conveying the Waters from the said last-mentioned Lands and Grounds, or any of them, by or along the said *Shire Drain*, or any Part thereof, at a lower Level or Gauge than the present Cill of the said last-mentioned Sluice, the said *North Level* Commissioners shall and they are hereby required to permit and suffer them so to lower, remove, or take away the said *Hill's Sluice*, or the Cill or Floor thereof, and also to lower, remove, or take away the said Weir or Weirs, Overfall or Overfalls; they the said last-mentioned Owners, at their own Charge, cleansing and scouring out the said *Shire Drain* to such corresponding Depth, and executing such Works for the Security and Protection of the said Main Drain, and the other Works of the said *North Level* Commissioners, at such Time or Times and in such Manner as shall be agreed upon between the said last-mentioned Owners and the said *North Level* Commissioners; and in case of their not agreeing touching any of the Matters aforesaid, then the Matters respecting which they shall disagree shall be referred to and determined and directed by Two Engineers, one of whom shall be appointed by the said last-mentioned Owners, or the major Part of them present at some Meeting to be convened for that Purpose, and the other shall be appointed by the said *North Level* Commissioners; and in case the said Two Engineers to be so appointed as aforesaid shall disagree in their Opinion touching any of the Matters to be referred to them as aforesaid, the Matter or Matters respecting which they shall disagree shall be referred by them to and be determined and directed by a Third Engineer, to be appointed as an Umpire by the said Two first-mentioned Engineers; and the Determination and Direction of the said Two first-mentioned Engineers and their Umpire respectively, touching any of the Matters which shall be referred to them respectively as aforesaid, shall be binding upon and be conformed to and acted upon by as well the said last-mentioned Owners and the said *North Level* Commissioners respectively as also all other Parties interested in the Premises; and unless and until the said *Shire Drain* shall be scoured out, and such other Works as aforesaid shall be done and executed by the said last-

mentioned Owners, as shall be agreed upon between them and the said *North Level* Commissioners, or as shall be directed by the said Engineers or their Umpire as aforesaid, it shall not be lawful for the said last-mentioned Owners, or for any Person under the Authority of them or any of them, to lower, remove, or take away the said *Hill's Sluice*, or the Cill or Floor thereof, or the said Weir or Weirs, Overfall or Overfalls, or to pass or convey any Waters by or along the said *Shire Drain* at a lower Level than is hereinbefore mentioned.

LXXXII. And be it further enacted, That the Charges and Expences of such respective Engineers as last aforesaid shall be borne and paid by the said last-mentioned Owners and the said *North Level* Commissioners respectively by whom the said Engineers shall be respectively appointed; and the Charges and Expences of the Umpire of the said Engineers shall be borne and paid by the said last-mentioned Owners and Commissioners respectively in equal Moieties; and the Costs and Charges of the several Works which shall be made in pursuance of any Agreement between the said last-mentioned Owners and Commissioners, or of any Order or Direction of the said Engineers or their Umpire, shall be borne and paid by the said Owners or the said Commissioners for whom or for whose Benefit respectively the same shall be respectively made and executed.

Expences of Engineers and Umpire.

LXXXIII. And be it further enacted, That the said *Hill's Sluice* shall at all Times, so long as the same shall be kept and maintained in the said *Shire Drain*, notwithstanding any Alteration which shall be made therein pursuant to the Provision hereinbefore in that Behalf contained, be and be deemed to be a Part of the said *Shire Drain* for the Purposes of Drainage by this Act reserved to the said Owners of the said several Lands and Grounds hereinbefore mentioned, in the Hamlets of *Sutton Saint Edmund's* and *Sutton Saint James's* and Parish of *Tid Saint Mary's* aforesaid.

Hill's Sluice, if altered, to continue to be Part of Shire Drain.

LXXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to render the said Owners of the said several last-mentioned Lands and Grounds, or any of them, or their respective Tenants, or the said *North Level* Commissioners or their Funds, subject or liable to the Repairs, Maintenance, or Support of any Bridge or Bridges or Road or Roads over or across the said *Shire Drain*.

Owners of Lands or North Level Commissioners not to be liable to repair Bridges over Shire Drain.

LXXXV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, at any Meeting to be holden by virtue of this Act, or any Five of them, of whom the Chairman shall be One, or for their said Committee by their Order, or any Five of them, of whom the Chairman or Deputy Chairman shall be One, from Time to Time to let, for the Purpose of being depastured with Sheep only, the Herbage of every or any Part or Parts of the Banks of the said intended Main Drain, and of all or any other the Banks or Lands by this Act vested in the said Commissioners, or placed under their Controul or Power, (except such Parts thereof the Herbage of which is or by virtue of this Act or otherwise shall be

Power for Commissioners or Committee to let Premises.

vested in or belong or be reserved to any Body or Bodies or Person or Persons whomsoever,) and also to let the Fishery as well of the said Main Drain as of all other the Drains by this Act vested in the said *North Level* Commissioners, (except the several Drains of or within the said Third and Fifth Districts respectively,) unto any Person or Persons, for the best Rents which can be gotten for the same Premises respectively; and the said Commissioners shall apply all such Rents as shall from Time to Time be received or raised by every or any such Letting as aforesaid to and for the Purposes of this Act.

Reservation of Ownership over the Banks in the Third and Fifth Districts.

LXXXVI. Provided always, and be it further enacted, That the respective Owners of the Lands lying within the said Third and Fifth Districts respectively shall at all Times hereafter have and be exclusively entitled to the sole Ownership and Property of and in all such of the Banks of the said several Drains respectively hereby vested in the said *North Level* Commissioners as shall be respectively situate within the said respective Third and Fifth Districts of the said *North Level* and *Great Portsand*, but subject nevertheless to the Powers and Authorities vested in the said Commissioners by this Act for the Purposes hereof; and that it shall be lawful for the said last-mentioned Owners respectively, and their respective Tenants, at all Times to feed and depasture the said last-mentioned Banks and every of them (but with Sheep only) for their own Use and Benefit, without any Controul or Interference whatsoever of or from the said Commissioners or their Committee, or of or from any Person or Persons claiming to act under their Authority.

Northam Mill not to be taken down without the Consent of the Owners.

LXXXVII. And be it further enacted, That it shall not be lawful for the Commissioners of the Internal Works of the said First District to take down or remove, or cause to be taken down or removed, the Mill or Engine in the said District called the *Northam Mill*, without the Consent of the Owners for the Time being of the Lands called *Cranmoor*, *Northam*, and the *Harp*, in the Parish of *Eye*, draining by the said Mill; and that so long as the said Mill or Engine shall be kept up, used, and worked by the said last-mentioned Owners for the Purpose of draining the said last-mentioned Lands, the said Owners shall be entitled yearly to have and retain to themselves, towards the Charges of keeping up, using, and working the same, the Amount of the proportionate yearly Rates and Taxes which they the said Owners are or shall be respectively liable to pay from Time to Time to the said Commissioners for the Internal Works of the said First District, under the Authority of the said recited Act passed in the Twenty-seventh Year of the Reign of the said late King *George* the Second, and that the said last-mentioned Commissioners, or their Revenues or Funds, shall not at any Time be liable to pay or contribute to any further or greater Amount than such last-mentioned proportionate yearly Rates and Taxes, towards the Charges of keeping up, using, or working the said last-mentioned Mill.

The Lot Mill not to be taken

LXXXVIII. And be it further enacted, That it shall not be lawful for the Commissioners for the Internal Works of the First of the said

Five Districts to take down or remove the Mill or Engine in the said First District called the *Lot Mill*, without the Consent of Three Fifth Parts in Number and Quantity of the Owners of the Lands in the Parish of *Crowland* draining by the said last-mentioned Mill or Engine. down without Consent.

LXXXIX. Provided always, and be it further enacted, That if the said Commissioners for the Internal Works of the said First District shall at any Time hereafter be desirous of taking down or removing, or of discontinuing to work, the said *Lot Mill*, by reason that the said Mill shall be considered by the said last-mentioned Commissioners to be no longer necessary for the several Purposes of Drainage for which the same is now used and worked, and the Parties whose Consent to the taking down or removing of the same Mill is hereinbefore declared to be necessary shall not consent to the taking down or the removing thereof, then and in such Case it shall be lawful for the said last-mentioned Commissioners to appoint an Engineer on their Part, and on Notice of such Appointment given to the said Parties whose Consent is so declared to be necessary as aforesaid, or to any Three or more of them, it shall be lawful for the said last-mentioned Parties, and they are hereby required, to appoint an Engineer on their Part, and if the said last-mentioned Parties shall decline or neglect to make such last-mentioned Appointment within Two Calendar Months next after such Notice given as last aforesaid, then it shall be lawful for the said last-mentioned Commissioners to appoint also a Second Engineer, and it shall be referred to the said Two Engineers, to be so appointed as aforesaid, to ascertain and determine, by such Ways and Means as they shall think necessary and proper, the Necessity or Advantage of keeping, retaining, or continuing to work the said last-mentioned Mill, and by whom and in what Proportions, by the Acre or otherwise, and for and in respect of what Lands draining by the said last-mentioned Mill, the Charges and Expences of keeping, retaining, repairing, maintaining, working, and using the same ought thenceforth to be borne and paid; and it shall be lawful for the said last-mentioned Commissioners, or the said other last-mentioned Parties, and they are hereby respectively required in manner aforesaid, at any Time or Times thereafter, and from Time to Time, when and as they shall respectively see Occasion, so long as the said last-mentioned Mill shall be kept and retained, to require and have it referred to Two Engineers to ascertain and determine in like Manner as aforesaid; and in case the said Two Engineers to be so from Time to Time appointed as aforesaid shall disagree touching any Matter which shall be so referred to them as aforesaid, then the said Engineers shall together appoint an Umpire to ascertain and determine the Matter respecting which they shall so disagree; and the Determination and Order of the said Two Engineers in any Case of Reference to them as aforesaid in which they shall agree, and of the said Umpire in any such Case of Reference to him as aforesaid, shall be binding and conclusive upon the several Parties interested therein; and such last-mentioned Charges and Expences shall and may from Time to Time be raised, levied, recovered, and received by such and the same Ways and Means as any Rates, Taxes, Charges, or Expences now payable to or authorized to be assessed, demanded, or received by the said last-mentioned Commissioners.

If Parties interested do not consent to the taking down of the *Lot Mill*, the Expences of continuing it to be determined by Engineers.

missioners can or may be lawfully raised, levied, recovered, or received: Provided nevertheless, that all such Lands as are now drained by the said *Lot Mill* free from any Charge or Expence for or in respect of the said Mill shall and lawfully may continue to be drained at all Times by the said *Lot Mill* free from any such Charge or Expence, so long as the said last-mentioned Mill is retained, and used or worked for the Purposes of Drainage.

A Mill to be erected for certain Low Lands in Eye, if necessary.

XC. And be it further enacted, That in case after the Expiration of Three Years next after the Execution and Completion of the said intended *North Level Sea Sluice* and *North Level Main Drain*, and the said Two Sluices to be erected at or near to *Clow's Cross* aforesaid, and the said Interior Drains to be called the *New Wryde* and the *Counter Drain*, shall have been certified by the Engineer of the said *North Level Commissioners* in the Manner hereinbefore directed, it shall appear that certain Low Lands lying in *Eye*, *Edgerley*, *Whittlesmere*, *Eyebury*, *Oxney*, and the *Thirds of Flagg Fen*, in the Second of the said Five Districts, shall not be as well and sufficiently drained by means of the said several last-mentioned Works, or by means of any other Works to be made or executed by or under the Authority of the said *North Level Commissioners*, as the greater Part of the other Lands lying within the said Second District, it shall be lawful for the said *North Level Commissioners*, and they are hereby required, upon Notice in Writing to be given to them for that Purpose, pursuant to an Order to be made at some Meeting of Owners or reputed Owners of the said several last-mentioned Lands, to be specially held for that Purpose, after Fourteen Days previous Notice given of such Meeting in some public Newspaper usually circulated in the Neighbourhood of the said Lands, and on the principal Door of the Church of *Eye* aforesaid, such Order to be made and concurred in by the greater Part in Number of such Owners or reputed Owners assembled at the said Meeting, such greater Part in Number being also the Owners or reputed Owners of the greater Part in Quantity of the said several last-mentioned Lands, belonging or reputed to belong to all the Persons assembled at such Meeting, to erect or cause to be erected, with and out of the Funds to be raised and received under the Authority of this Act, at some convenient and proper Place to be determined by the Engineer of the said *North Level Commissioners*, One Mill or Engine, for the Purpose of raising and conveying the Waters from the said several last-mentioned Lands into the said Counter Drain, subject nevertheless to the several Gauges and Regulations by this Act provided, so far as the same are or shall be applicable to the said several last-mentioned Lands and the Drainage thereof; and the said last-mentioned Mill or Engine, when erected, shall at all Times thereafter, so long as the same shall be necessary for the Purpose aforesaid, be repaired, renewed, maintained, used, and worked by and at the sole Costs and Charges of the Owners and Occupiers of the said last-mentioned Lands.

Commissioners not to be liable to erect such

XCI. Provided always, and be it further enacted, That if in the Judgment of any Two Engineers, One to be appointed by and at a Meeting of the said *North Level Commissioners*, and the other to be appointed

appointed at some Meeting of the said last-mentioned Owners or reputed Owners, by the same Persons and in the same Manner as is hereinbefore directed for such Order and Notice as last aforesaid, (and which said Engineers the said Commissioners and Owners are hereby required respectively to appoint, on Notice to them respectively given by the others of them,) or in case of any Difference of Opinion between the said Two Engineers, then in the Judgment of a Third Engineer to be appointed as an Umpire by the same Two Engineers, the said several last-mentioned Lands within the said Second District can or may be effectually drained to the Extent mentioned in the Provision last hereinbefore contained, by any other Means than by the Erection of such Mill or Engine as last aforesaid, and the said Commissioners shall at the Charge of their said Funds use and employ such Means for that Purpose as shall be determined and directed by the said Two Engineers or their said Umpire, then and in such Case the said Commissioners shall not, by virtue of this Act or otherwise, be required or liable to erect or cause to be erected such last-mentioned Mill or Engine; any thing hereinbefore contained to the contrary thereof notwithstanding.

Mill if they
use other
Means di-
rected by
Engineers.

XCII. And in order to provide the requisite Funds for the general draining and preserving of the Lands comprised in all the said Five Districts of the said *North Level* and *Great Portsand*, and to answer the other Purposes of this present Act, be it further enacted, That all and singular the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand*, as bounded and described in the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second, (save and except the Lands heretofore called *Great Borough Fen Common* otherwise *Peterborough Great Fen Common*, now forming the Parish of *Newborough*; the Lands heretofore called the *Four Hundred Acre Common*, in *Al-derlands*; the Lands heretofore called *Peterborough Little Fen Common* otherwise *Flagg Fen Common*; the Lands heretofore called that Part of *Sutton Common* which lies South of *Old South Eau*; the Lands called *Hurt's Grounds*, in the Parish of *Standground*; the Lands of *Orney* and *Tanholt Farms*; *Chapel Close*, *Borough Hill Closes*, *Padham's*, *Peakirk Long Meadows*, *Peakirk Little Meadows*, and the Closes adjoining thereto; *Newark*, *Edgerley*, and the Closes adjoining thereto towards the West and North; *Billingswood*, and the Closes adjoining thereto in the Parish of *Paston*; the Lands called the *Inhams*, lying South of the *Folly Bank*; the Closes at the South End of *Inhams* called *Puttock Closes*; all the Highlands in *Eyebury* and *Newark*; and all the Highlands in the Parishes of *Peterborough*, *Werrington*, *Glinton*, *Peakirk*, *Eye*, *Standground*, and *Whittlesea*, or any of them,) shall be and the same are hereby respectively assessed, taxed, and charged with a Tax of Sixpence *per Acre* in this present Year, and a Tax of Sixpence *per Acre* in the Year One thousand eight hundred and thirty-one, for every Acre of the said Lands comprised within the said Five several Districts (except as is before excepted), and so in proportion for any less Quantity than an Acre thereof; which said Tax shall be payable and paid by the respective Owners or Occupiers of the said several Lands so respectively charged therewith as aforesaid on the First Day of *December*.

Yearly Tax
of 6d. per
Acre to be
charged on
the taxable
Lands for
Two Years.

in each of the said Two last-mentioned Years, to the Collector or Collectors of the said *North Level* Commissioners, or to such Person or Persons, and at such Place or Places, as the said Commissioners, at their respective yearly General Meetings in each of the said last-mentioned Years, shall order or direct, or otherwise to the said Collector or Collectors at his or their Dwelling House or Dwelling Houses.

Yearly Tax of 3s. per Acre to be charged on the taxable Lands after the first Two Years.

XCIII. And be it further enacted, That all and singular the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand* hereinbefore mentioned and described (save and except the said several Lands hereinbefore exempted from the said Tax of Sixpence *per Acre*, and save and except as is hereinafter mentioned,) shall be and the same are hereby respectively assessed, taxed, and charged with a yearly Tax of Three Shillings *per Acre* in every Year after the said Year One thousand eight hundred and thirty-one for every Acre of the said Lands comprised within the said Five several Districts (except as is before excepted), and so in proportion for any Quantity less than an Acre thereof; which said yearly Taxes, so assessed, taxed, and charged as last aforesaid, shall be payable and paid by the respective Owners or Occupiers of the said several Lands so respectively charged therewith as aforesaid, on the First Day of *December* yearly, and in every Year after the said Year One thousand eight hundred and thirty-one, to the Collector or Collectors of the said *North Level* Commissioners, or to such Person or Persons, and at such Place or Places, as the said Commissioners shall from Time to Time, at their respective yearly General Meetings, order or direct, or otherwise to the said Collector or Collectors, at his or their Dwelling House or Dwelling Houses.

Reduced Tax charged on certain Lands.

XCIV. And be it further enacted, That certain Lands called *Cranmoor*, *Northam*, and the *Harp*, in the Parish of *Eye*, in the First of the said Five Districts, and certain other Lands called the *Thirds of Tanholt*, in the same Parish, in the Second of the said Districts, shall be and the same are hereby respectively assessed, taxed, and charged with a yearly Tax of Sixpence *per Acre* in every Year after the said Year One thousand eight hundred and thirty-one, for every Acre of the said several last-mentioned Lands, and so in proportion for any Quantity less than an Acre thereof; which said last-mentioned Tax shall be payable and paid by the respective Owners or Occupiers of the said several last-mentioned Lands on the First Day of *December* yearly, and in every Year after the said Year One thousand eight hundred and thirty-one, to the Collector or Collectors of the said *North Level* Commissioners, or to such Person or Persons, and at such Place or Places, as the said Commissioners at their respective yearly General Meetings in each of the said last-mentioned Years shall order or direct, or otherwise to the said Collector or Collectors at his or their Dwelling House or Dwelling Houses.

Certain Lands charged with full Tax on their Mill

XCV. And be it further enacted, That in case at any Time hereafter the Mill or Engine now used and worked for the Drainage of the said Lands called *Cranmoor*, *Northam*, and the *Harp*, shall be taken down or removed with the Consent of the Owner or Owners of

of the said Lands, or in case it shall at any Time hereafter appear to the Owner or Owners of the said last-mentioned Lands, or to any Two Engineers, one to be appointed by and at a Meeting of the said *North Level* Commissioners, and the other to be appointed at some Meeting of the Owners or reputed Owners of the said several last-mentioned Lands, by a Majority of such Owners or reputed Owners assembled at such Meeting, (and which said Engineers the said Commissioners and Owners are hereby required respectively to appoint, on Notice to them respectively given by the others of them,) or to an Umpire to be appointed by the said Engineers, in case they shall disagree, that any Mill or Engine is no longer necessary for the Drainage of the said last-mentioned Lands, then and immediately after such Mill or Engine shall be taken down or removed, or shall appear to have become unnecessary for the Purpose of such Drainage as last aforesaid, the said last-mentioned Lands called *Cranmoor*, *Northam*, and the *Harp*, shall be and the same are hereby assessed, taxed, and charged with a yearly Tax of Three Shillings *per Acre*, instead of the said last-mentioned Tax of Sixpence *per Acre*, so charged thereon as last aforesaid, in every Year after the said Year One thousand eight hundred and thirty-one, or after the said last-mentioned yearly Tax of Three Shillings *per Acre* shall take effect, by virtue of this present Provision, the same last-mentioned Tax to be paid for every Acre of the said several last-mentioned Lands, and so in proportion for any less Quantity than an Acre thereof; which said last-mentioned Tax, so assessed, taxed, and charged as last aforesaid, shall be payable and paid by the respective Owners or Occupiers of the said several last-mentioned Lands so respectively charged therewith as aforesaid on the First Day of *December* in every Year after the same shall take effect, by virtue of this present Provision, to the Collector or Collectors of the said *North Level* Commissioners, or to such Person or Persons, and at such Place or Places, as the said Commissioners shall from Time to Time at their respective yearly General Meetings order and direct, or otherwise to the said Collector or Collectors at his or their Dwelling House or Dwelling Houses.

XCVI. Provided always, and be it further enacted, That until it shall have been ascertained and certified in the Manner hereinbefore mentioned, that the said several Low Lands hereinbefore mentioned, lying in *Eye*, *Edgerley*, *Whittlesmeer*, *Eyebury*, *Oxney*, and the *Thirds of Flagg Fen*, in the said Second District, are as well and sufficiently drained by any of the Means hereinbefore mentioned, in particular Reference to the said last-mentioned Lands, as the greater Part of the other Lands lying within the said Second District, the said last-mentioned Low Lands respectively, and the respective Owners and Occupiers thereof, shall be liable to the Payment to the said *North Level* Commissioners of One Sixth Part only of the Tax of Three Shillings *per Acre* hereinbefore charged and assessed upon the several Lands lying within the said *North Level* and *Great Portsand*, instead of the said Tax of Three Shillings *per Acre*; and if, at the Expiration of the said Three Years, it shall be ascertained and certified in the Manner aforesaid, that the said several last-mentioned Low Lands are so well and sufficiently drained as aforesaid, then and in such Case the said last-mentioned Lands, and the

Certain Low Lands in the Second District to be liable only to the Payment of a Portion of the Tax until their Drainage is certified.

the respective Owners and Occupiers thereof, shall thenceforth be liable to the Payment to the said *North Level* Commissioners of the remaining Five Sixth Parts of the said Tax of Three Shillings *per* Acre, and all Arrears thereof, for and during all the Time for which the same is charged and assessed upon the same, or any other Lands lying within the said *North Level* and *Great Portsand*, in the Manner herein mentioned, and shall from Time to Time and at all Times thereafter be and continue charged with and liable to pay the said full Tax of Three Shillings *per* Acre, and be subject to the several Provisions herein contained in relation thereto.

Limitation
of Tax for
the said Low
Lands.

XCVII. Provided also, and be it further enacted, That in case at the Expiration of the said Three Years it shall be found necessary to erect such Mill or Engine as is hereinbefore mentioned for the Drainage of the said last-mentioned Low Lands, then and in such Case, and from Time to Time, so long as in the Opinion of the Two Engineers, or their Umpire, to be so respectively appointed in relation to the Drainage of the said last-mentioned Lands as is hereinbefore mentioned, it shall be necessary to continue the working of such last-mentioned Mill or Engine, for the Drainage of the said several last-mentioned Low Lands, at the Charge of the Owners and Occupiers of the said Lands, the yearly Tax of One Shilling *per* Acre only, so long as last aforesaid, shall be and the same is hereby assessed and charged upon the said several last-mentioned Lands, and the respective Owners and Occupiers thereof, for and in lieu of the said Tax of Three Shillings *per* Acre hereinbefore charged and assessed thereon; and the said yearly Tax of One Shilling *per* Acre shall be accepted and taken by the said *North Level* Commissioners so long as last aforesaid in lieu and satisfaction of the said Tax of Three Shillings *per* Acre, for and in respect of the said last-mentioned Lands; any thing herein contained to the contrary thereof notwithstanding.

Mode of as-
certaining
the Quanti-
ties of the
Lands for
Taxation.

XCVIII. And be it further enacted, That all and singular the said several Lands by this Act respectively assessed, taxed, and charged with the said several yearly Taxes hereinbefore mentioned, shall be and the same are hereby respectively assessed, taxed, and charged with the said Taxes respectively, according to the respective admeasured Quantities for which the same Lands are or have been respectively charged under the Authority of any Act or Acts of Parliament heretofore passed, if the said Quantities can be so respectively ascertained; and all such of the said several Lands the respective Quantities of which cannot be ascertained by the Means aforesaid shall be and the same are hereby respectively assessed, taxed, and charged with the said Taxes respectively according to the respective admeasured Quantities thereof, to be ascertained in the Manner following; (that is to say,) an Account of the admeasured Quantities of the said several last-mentioned Lands shall, at such Time or Times as the said *North Level* Commissioners shall require, by any Notice or Notices for that Purpose, to be inserted Twice in some public Newspaper usually circulated in the County, Isle, or Parts in which such last-mentioned Lands shall lie or be situate, be given in to the Treasurer, Clerk, or Surveyor of the said Commissioners, and shall be verified by the Oath of the respective Owners or Occupiers of the said several last-

mentioned Lands, or of some sufficient Witness or Witnesses, or by the solemn Affirmation of such of them as shall be Quakers, to be made before any Two or more of the said Commissioners, who are hereby empowered to administer or receive such Oath or Affirmation.

XCIX. Provided always, and be it further enacted, That if any of the said last-mentioned Owners or Occupiers shall refuse or neglect to give in to the said Treasurer, Clerk, or Surveyor such Account of the Quantities of their said several Lands as aforesaid, and to verify the same in the Manner aforesaid, or if the said *North Level* Commissioners shall be dissatisfied with any such Account, or if the said Commissioners shall see Cause to have any of the said Lands last aforesaid surveyed and admeasured for the Purpose of ascertaining the Quantities thereof, and the Amount of the said Taxes by this Act assessed, taxed, and charged thereon respectively as aforesaid, it shall be lawful for the said Commissioners at any of their Meetings to order a Survey and Admeasurement to be made by such Person or Persons as they shall think proper of the said several last-mentioned Lands or any of them, and to ascertain the respective Quantities thereof by means of such Survey and Admeasurement; and any such Survey and Admeasurement shall be a sufficient Warrant and Authority to the said Commissioners to ascertain and determine the Quantities of the said several Lands which shall have been so surveyed and admeasured as last aforesaid, and the Amount of the Taxes by this Act assessed, taxed, and charged thereon respectively as aforesaid, any thing hereinbefore contained to the contrary thereof notwithstanding; and the Charge of such Survey and Admeasurement shall be paid by the Person or Persons who shall have neglected or refused to give an Account or shall have given a false or inaccurate Account of the said Lands respectively as aforesaid, in all Cases in which an Account thereof shall have been required by the said Commissioners as aforesaid, and shall be levied and raised by the said Commissioners upon and from the said last-mentioned Lands respectively, by the same Ways and Means as the said several Taxes are by this Act respectively authorized to be levied and raised; and the Charge of such Survey and Admeasurement shall in all other Cases be paid by the said Commissioners out of any of the Funds and Monies which they are by this Act authorized to raise and receive.

If Account of Lands be not given in, or if the Commissioners be dissatisfied, they may direct a Survey to be made.

C. And be it further enacted, That in case the Owners, Tenants, or Occupiers of the said Lands so respectively charged with the said several yearly Taxes as aforesaid shall neglect or fail to pay all or any Part of such Taxes respectively to the Collector or Collectors, or other Person or Persons who shall be appointed by the said *North Level* Commissioners to receive the same, at the Time and Place or several Times and Places appointed by this Act or to be appointed by the said Commissioners, the several Owners and Occupiers of the said several Lands in respect whereof such Neglect or Failure shall take place shall forfeit and pay to the said Commissioners, by way of Penalty, over and above the said Taxes, the Sum of Three Shillings and Four-pence for every Twenty Shillings of the Amount of such Taxes respectively which shall be unpaid, at such Time and Place or

Penalty on Nonpayment of the Taxes.

several Times and Places as aforesaid, and so in proportion for any less Sum than Twenty Shillings.

The Taxes to be paid by the Occupiers of the Lands.

CI. And be it further enacted, That all and singular the said Taxes so by this Act assessed, taxed, and charged as aforesaid shall be respectively paid by the respective Tenants or Occupiers of the said several Lands so respectively charged therewith as aforesaid, who are hereby respectively required and made liable to pay the same at such respective Times and to such Person or Persons as the said Commissioners at their several yearly General Meetings shall from Time to Time order or direct.

Power for Tenants at Rack Rent to deduct the Taxes from their Rents.

CII. And be it further enacted, That the several Tenants and Occupiers of the said several Lands so respectively charged as aforesaid, or any of them, being respectively the Tenants or Occupiers thereof at a Rack Rent or Rack Rents, shall be at liberty and they are hereby respectively empowered from Time to Time, in all Cases wherein there shall not be any Contract or Agreement between them and their respective Landlords to the contrary, to deduct and retain out of their respective Rents all such and so much of the said several Taxes as they shall respectively have paid under the Authority of this Act, in respect of the said several Lands in their respective Occupations; and the respective Landlords or Owners of such several Lands shall and they are hereby required to allow such Deductions respectively, upon the Receipt of the Residue of the said respective Rents, on such respective Tenants or Occupiers producing to their said respective Landlords proper Receipts for the Payment of such Taxes respectively as aforesaid, and paying or tendering to pay to their said respective Landlords the Residue of their said respective Rents; and all and every such Tenants and Occupiers holding at Rack Rent, and paying such respective Taxes as aforesaid, shall be respectively acquitted and discharged from and against their said respective Landlords of and from so much Money as the said Taxes which shall have been so paid by them respectively as aforesaid shall amount unto, in as full and ample Manner as if the same had been actually paid to their said respective Landlords; and in all Cases in which by default of the said respective Tenants or Occupiers to pay the said several Taxes or any Part thereof the respective Owners or Landlords of the several Lands charged therewith or liable thereto shall be compelled to pay the said Taxes or any Part thereof, or any Penalty or Costs or Charges which shall have been incurred by reason of the Nonpayment thereof, the Amount of such Penalty, Costs, and Charges, and also the said Taxes, (in those Cases only in which the same shall under any Lease or Agreement be payable by the respective Tenant or Tenants of the several Lands the Taxes whereof shall be so in arrear and unpaid,) shall and may be recovered and received by the said respective Owners and Landlords from their said respective Tenants so making default as aforesaid by Distress and Sale of his, her, and their Goods, Chattels, and Effects, in the same Manner and to the same Extent, and with such Costs, as Rent in arrear, and in default of such Distress or Distresses shall and may be recovered and received by the said respective Owners or Landlords as liquidated Damages, by Action at Law, to be brought against the said
respective

respective Tenants so making default as aforesaid, in any of His Majesty's Courts of Record at *Westminster*.

CIII. Provided always, and be it further enacted and declared, That no Lessee or Tenant of any of the said Lands so respectively charged with the said several Taxes as aforesaid, who shall hold the same Lands by virtue of or under any renewable Lease for Years, from any Bishop, Collegiate Church, College, or Corporation Sole or Aggregate, or by virtue of or under any other beneficial Lease whatever, for Years, not being a Lease at Rack Rent, shall be entitled to deduct the said Taxes or any of them, or any Part thereof, out of the Rent reserved and payable by virtue of any such Lease to his or her Landlord or Landlords, but the said Taxes shall in every such Case be charged upon and borne and paid by the respective Lessees or Tenants so holding such Lands respectively under any such Lease, not being a Lease at Rack Rent as aforesaid.

Lessees under beneficial Leases not to deduct the Taxes.

CIV. Provided also, and be it further enacted, That when any Penalty or any Costs or Charges shall have been incurred by reason of the Nonpayment of any of the said Taxes so respectively assessed, taxed, and charged as aforesaid, and such Penalty, Costs, and Charges shall have been paid by the respective Tenants or Occupiers of the Lands for or in respect of which such Taxes shall have been respectively payable, during whose Tenancy or Occupation the same shall have been respectively incurred or become payable, the respective Landlords or Owners of such last-mentioned Lands shall not be compellable or liable to allow such Penalty, Costs, or Charges, or any Part thereof, to such Occupiers respectively; any thing hereinbefore contained to the contrary thereof notwithstanding.

Landlords not to be compelled to allow Penalties to the Occupiers.

CV. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay or shall make default in the Payment of the several Taxes so respectively assessed, taxed, and charged as aforesaid, for or in respect of the Lands belonging to or being in the Occupation of such Person or Persons respectively, or any Part of such several Taxes, or any Penalty or Penalties which shall have been incurred by reason of the Nonpayment thereof respectively as aforesaid, it shall be lawful for any Collector or Officer appointed by the said *North Level* Commissioners, or for any other Person or Persons authorized by any Writing under the Hand of such Collector or Officer, to enter upon all or any of the said Lands by this Act charged with such Taxes respectively as aforesaid, in respect of which such Refusal, Neglect, or Default shall have taken place as aforesaid, and all or any of the Houses, Buildings, or Tenements thereon standing or thereunto belonging, and to levy the Amount of such respective unpaid Taxes and Penalties by Distress of the Goods and Chattels which shall be found on the said Premises respectively, and for the Purpose of such Distress to seize and take the said Goods and Chattels respectively, and to impound the same on the Premises on which the same shall have been respectively seized and taken, or to take, lead, drive, carry away, and impound the same elsewhere, and to detain and keep the same for the Space of Five Days, at the Costs and Charges of the Owner or Owners thereof,

Power of Distress for unpaid Penalties.

thereof, leaving on the respective Premises on which any such Distress shall have been taken as aforesaid a Notice in Writing of the Cause of such Distress; and if the Sum or Sums of Money for which such Distress shall have been taken, and all Charges attending such Distress, shall not be paid, or the said Goods and Chattels which shall have been distrained shall not be replevied within Five Days next after such Distress made, and Notice thereof left as aforesaid, the Person or Persons making such Distress shall and may, with the Sheriff or Under Sheriff of the County, Chief Bailiff, or Deputy Chief Bailiff of the Isle, or Constable of the Township, Parish, Hamlet, or Place where such Distress shall have been made, (who are hereby respectively required to assist therein,) cause the Goods and Chattels which shall have been so distrained as aforesaid to be appraised by Two or more indifferent Persons, who shall be sworn by such Sheriff, Under Sheriff, Chief Bailiff, Deputy Chief Bailiff, or Constable, (who are hereby respectively empowered to administer the necessary Oath to them,) to appraise the same according to the best of their Judgments; and after such Appraisement, the Person or Persons making such Distress as aforesaid shall and may at any Time or Times cause the said Goods and Chattels to be sold by Public Auction or Private Contract, for the best Price or Prices that can be reasonably gotten for the same respectively, and shall and may pay and apply the Money arising by such Sale for and towards Satisfaction of the Sum or Sums of Money for which such Distress shall have been so made as aforesaid, and the Charges of taking, impounding, keeping, appraising, and selling the said Goods and Chattels, leaving the Overplus of the Money arising by such Sale (if any) in the Hands of such Sheriff, Under Sheriff, Chief Bailiff, Deputy Chief Bailiff, or Constable for the Use of the Owner or Owners of the said Goods and Chattels.

Power for the Commissioners to let Lands for the Payment of Taxes in arrears.

CVI. And be it further enacted, That in all Cases in which the said several Taxes or Penalties respectively, or any of them, shall be in arrear and unpaid by the Space of Six Calendar Months together next after the Time or Times at which the same shall have been respectively due or ought to have been paid by virtue of this Act, and no sufficient Distress can be found upon the Lands so charged therewith respectively as aforesaid, then and in every such Case it shall be lawful for the said *North Level* Commissioners, at any of their Meetings, to let or cause to be let the said respective Lands for or in respect of which such Taxes or Penalties shall be so respectively in arrear and unpaid as aforesaid, or so much and such Part or Parts of the same Lands respectively as the said Commissioners shall judge sufficient and proper, to such Person or Persons, for such Number of Years not exceeding Seven Years, at such Rent or Rents and upon such Terms and Conditions as to them shall seem meet, and to apply the Rent or Rents from Time to Time arising therefrom in or towards Payment and Discharge of such Taxes and Penalties respectively, and of such Charges and Expences as they the said Commissioners shall incur or be liable to in consequence of the Nonpayment of such Taxes or Penalties respectively, or in or about the letting of the said Lands or any of them, or any Part thereof respectively, rendering the Overplus of the said Rent or Rents

Rents (if any) from Time to Time to the Person or Persons for the Time being appearing to the said Commissioners to be entitled thereto.

CVII. And be it further enacted, That the said several Lands respectively charged with the said several Taxes as aforesaid shall always remain and be a Security for the Payment of the same Taxes and the Penalties thereon respectively; and all Goods and Chattels which shall at any Time or Times thereafter be found on the same Lands respectively shall and may at any Time or Times be distrained, impounded, kept, appraised, and sold in the Manner hereinbefore directed, until all Arrears of the said Taxes and Penalties, and the Charges of every such Distress and Sale, and all other Costs and Charges which shall have been incurred by reason of the Non-payment of such Taxes and Penalties respectively, shall be fully paid and satisfied to the said *North Level* Commissioners, or to their Treasurer or Collector.

The Lands to remain a Security for the Taxes.

CVIII. And inasmuch as the several Lands lying in the Parish of *Newborough* aforesaid, intended to be drained under the Powers of the said recited Act passed in the Fifty-second Year of the Reign of His said late Majesty King *George* the Third, and the several Lands lying in the late *Great* and *Little Commons* in *Sutton Saint Edmund's* aforesaid, intended to be drained under the Powers of the said recited Act passed in the Forty-ninth Year of the same Reign, which are severally exempt from Taxation under the said recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, may be expected to derive an immediate Benefit and saving of Expence in their respective Drainages from the several Works by this Act authorized to be made and executed, and it is therefore just and reasonable that the said Lands should respectively contribute to the Costs and Charges of the said last-mentioned Works, and the Owners and Occupiers of the said several Lands have agreed to contribute and pay the several Sums hereinafter mentioned towards such Costs and Charges; be it therefore further enacted, That all and singular the said Lands lying in the said Parish of *Newborough* shall be and the same are hereby assessed and charged with the Sum of Two thousand and five hundred Pounds as a Contribution towards the Execution of the said Works by this Act authorized to be made and executed; and all and singular the said Lands lying in the said late *Great* and *Little Commons* in *Sutton Saint Edmund's* aforesaid shall be and the same are hereby assessed and charged with the Sum of Three hundred and fifty Pounds, in the several Proportions following; that is to say, the said Lands lying in the said late *Great Common* with the Sum of Two hundred and seventy Pounds, and the said Lands lying in the said late *Little Common* with the Sum of Eighty Pounds, as a Contribution towards the Execution of the said last-mentioned Works; the said Two several Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds to be paid by the *Newborough* Drainage Commissioners and *Sutton Common* Drainage Commissioners respectively acting in the Execution of the said Acts passed respectively in the Fifty-second and Forty-ninth Years of the Reign of the said late King *George* the Third, to the said *North*

Contributions from the Lands in *Newborough* and *Sutton Commons*.

Level Commissioners, free from all Deductions whatsoever, at the Expiration of Three Calendar Months next after the Completion of the said *North Level Sea Sluice, North Level Main Drain, Clow's Cross Sluices, and New South Eau Drain*, shall have been certified in the Manner and pursuant to the Provisions herein contained, if the said *Nene Outfall Cut* by the said recited Act passed in the Seventh and Eighth Years of the Reign of His said Majesty King *George the Fourth* shall be then executed and completed, but otherwise at the Expiration of Three Calendar Months next after the said Cut shall have been executed and completed, pursuant to the Provisions contained in the said last-mentioned Act.

Penalty on Nonpayment of the said Contributions

CIX. And be it further enacted, That in case the said Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds respectively, or any Part thereof, shall be in arrear and unpaid to the said *North Level Commissioners* for the Space of One Calendar Month next after the Time so appointed for the Payment thereof as aforesaid, the Sum of Three Shillings and Four-pence in the Pound on the said last-mentioned Sums, or on so much thereof respectively as shall be in arrear and unpaid as aforesaid, shall be paid by the said *Newborough Drainage Commissioners* and *Sutton Common Drainage Commissioners* respectively to the said *North Level Commissioners*, as and by way of a Penalty for the Nonpayment thereof.

Power for Recovery of the said Contributions, and Penalties and Charges thereon.

CX. And be it further enacted, That if it shall happen that the said respective Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds, or any Part thereof respectively, or any Penalty which shall have been incurred by reason of the Nonpayment thereof, shall remain unpaid to the said *North Level Commissioners* or their Treasurer for the Time being for the Space of Three Calendar Months next after the Time so appointed for the Payment thereof as aforesaid, it shall be lawful for the said *North Level Commissioners*, and they are hereby authorized and required, to appoint a Receiver of the Taxes, Rates, Rents, and Revenues payable to the said *Newborough Drainage Commissioners* and *Sutton Common Drainage Commissioners* respectively, as the Case may be, or which they the said last-mentioned Commissioners are by the said several Acts of the Fifty-second and Forty-ninth Years of the Reign of the said late King *George the Third* respectively authorized to charge, assess, levy, or receive, or any of them, or any Part or Portion, or Parts or Portions thereof respectively; and such Receiver is hereby authorized and required to collect and receive the said last-mentioned Taxes, Rates, Rents, and Revenues which he shall be so appointed to receive as aforesaid, and to pay the same from Time to Time to the said *North Level Commissioners* or to their Treasurer for the Time being, in and towards Satisfaction and Discharge of the said Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds respectively, as the Case may be, together with Interest for the same at the Rate of Five Pounds *per Centum per Annum*, to be computed from the Expiration of the said Three Calendar Months, and of the Penalty or Penalties which shall have been incurred in respect thereof, and of the Costs and Charges which shall have been or shall be incurred by reason of the Nonpayment thereof, or by reason of the Appointment
of

of such Receiver as aforesaid, with a reasonable Compensation to him for his Trouble and Expences therein, until by the Ways and Means aforesaid, or otherwise, the whole Amount of the said last-mentioned Sums respectively, with Interest thereon as aforesaid, and the Penalty thereon, and the Costs occasioned by the Nonpayment thereof, and otherwise in relation thereto, shall be, unto the said *North Level* Commissioners or their Treasurer, fully paid, satisfied, and discharged; and the Surplus of the said last-mentioned Taxes, Rates, Rents, and Revenues, which shall remain in the Hands of such Receiver, after satisfying the several Purposes aforesaid, shall be paid by the said Receiver to the said *Newborough* Drainage Commissioners, or to the said *Sutton Common* Drainage Commissioners, as the Case may be, or to their respective Treasurers for the Time being.

CXI. And be it further enacted, That it shall be lawful for the said *Newborough* Drainage Commissioners and *Sutton Common* Drainage Commissioners respectively, acting in the Execution of the said several recited Acts respectively passed in the Fifty-second and Forty-ninth Years aforesaid, and they are hereby respectively required, by all or any of the Ways, Means, and Remedies by the said last-mentioned Acts respectively given or provided for assessing, raising, levying, recovering, and receiving all or any of the Rates, Taxes, and Penalties thereby charged, or authorized to be charged by or made payable to the said last-mentioned Commissioners respectively, and at such Time or Times, either before or after the several Sums next hereinafter mentioned and referred to shall respectively become due and payable to the said *North Level* Commissioners, and either wholly at once, or by such several Portions and Instalments as to them the said Drainage Commissioners respectively shall seem expedient, to assess, raise, levy, recover, and receive the said several Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds so payable by them respectively to the said *North Level* Commissioners as aforesaid, and also all such other Sums as are by this Act made payable by the said *Sutton Common* Drainage Commissioners to the said *North Level* Commissioners, together with all Costs and Charges of assessing, raising, levying, recovering, and receiving the same, and such Penalty or Penalties as shall be payable in respect thereof, by One or more equal Assessment or Assessments to be made by the said Drainage Commissioners respectively upon all and singular the said Lands so charged therewith respectively as aforesaid, lying within their respective Districts, and upon the several Owners and Occupiers thereof, proportionably upon and for every Acre, and upon and for any less Quantity than an Acre, of the said last-mentioned Lands respectively; and that the said *Sutton Common* Drainage Commissioners shall have and be entitled to and are hereby authorized and required to use and exercise all such and the same Powers, Ways, Means, and Remedies, for making such Assessment or Assessments as aforesaid, upon, for, or in respect of the several Lands and Grounds within the said late *Great* and *Little Commons* in *Sutton Saint Edmund's* aforesaid, and each of them, and for levying, recovering, and receiving the Amount or several Amounts thereof respectively upon and from all and singular the said last-mentioned Lands and Grounds, and the several Owners and Occupiers thereof respectively, as they the said last-mentioned

Power for the *Newborough* and *Sutton Common* Commissioners to raise the said Contributions by equal Acre Assessments.

Commis-

Commissioners have or are entitled to use or exercise for assessing, levying, recovering, raising, or receiving any Rates, Taxes, or Monies upon, from, or in respect of all and every or any of the several Lands and Grounds lying within the said late *Great and Little Commons*, or either of them, or any Part thereof, or upon or from the several Owners or Occupiers thereof respectively, under or by virtue of the said recited Act passed in the Forty-ninth Year of the Reign of the said late King George the Third.

Assessments paid by the Tenants to be deducted from their Rents.

CXII. And be it further enacted, That the said several Assessments, so authorized to be assessed and charged by the said *Newborough Drainage Commissioners* and *Sutton Common Drainage Commissioners* respectively as aforesaid, shall be respectively paid to the said last mentioned Commissioners respectively, or to their respective Treasurers, by the respective Owners, Tenants, or Occupiers of the several Lands which shall be so respectively charged therewith as aforesaid, at the respective Times which shall be appointed by the said last-mentioned Commissioners respectively for the Payment thereof; and that the several Tenants or Occupiers of the said several last-mentioned Lands, being respectively Tenants or Occupiers thereof at a Rack Rent, shall be at liberty, and they are hereby respectively empowered, from Time to Time, in all Cases wherein there shall not be any Contract or Agreement between them and their respective Landlords to the contrary, to deduct and retain out of their respective Rents all such and so much of the said last-mentioned Assessments as they shall respectively have paid under the Authority of this Act in respect of the said several Lands in their respective Occupations, and the respective Landlords or Owners of such several Lands shall and they are hereby required to allow such Deductions respectively, upon the Receipt of the Residue of their said respective Rents, on such respective Tenants or Occupiers producing to them respectively proper Receipts for the Payment of such last-mentioned Assessments, and paying or tendering to pay to them the Residue of their said respective Rents; and all such Tenants and Occupiers holding at Rack Rent, and paying such respective Assessments as last aforesaid, shall be respectively acquitted and discharged, from and against their said respective Landlords, of and from so much Money as the said last-mentioned Assessments which shall have been so paid by them respectively as aforesaid, shall amount unto, in as full and ample Manner as if the same had been actually paid to their said respective Landlords.

Lessees holding under beneficial Leases not to deduct such Assessments.

CXIII. Provided always, and be it further enacted and declared, That no Lessee or Tenant of any of the said last-mentioned Lands, which shall be assessed or charged by the said *Newborough Drainage Commissioners* and *Sutton Common Drainage Commissioners* respectively with any of the said last-mentioned Assessments as aforesaid, who shall hold the same Lands by virtue of or under any renewable Lease for Years, from any Bishop, Collegiate Church, College, or Corporation Sole or Aggregate, or by virtue of or under any other beneficial Lease whatever, for Years, not being a Lease at Rack Rent, shall be entitled to deduct the said last-mentioned Assessments or any of them out of the Rent reserved and payable by virtue of any such Lease to his or her Landlord or Landlords, but the said last-

mentioned Assessments shall in every such Case be charged upon and borne and paid by the respective Lessees or Tenants so holding such Lands respectively under any such Lease not being a Lease at Rack Rent as aforesaid.

CXIV. And be it further enacted, That it shall and may be lawful for all Persons, being Tenants for Life, and others having only partial or limited Estates or Interests not amounting to an Ownership in Fee Simple in Possession, of or in any of the said last-mentioned Lands, and for all Husbands, Guardians, Committees, or Trustees of or for any Person or Persons whomsoever, by any Deed or Deeds under their respective Hands and Seals, to charge the Inheritance of the said several last-mentioned Lands with all or any of the said several last-mentioned Assessments which they respectively are required or shall be liable to pay under the Authority of this Act as aforesaid, and to mortgage the same Lands respectively by Demise or otherwise to any Person or Persons who shall be willing to lend or advance to them respectively the Amount of such last-mentioned Assessments, or any Part or Parts thereof respectively, for the Repayment to such Person or Persons of the Principal Money or Monies which shall be so lent or advanced by him, her, or them as aforesaid, together with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*: Provided nevertheless, that all such Mortgages to be so made as last aforesaid shall be expressly made redeemable upon Payment of the Principal and Interest Monies to be thereby respectively secured; and that all such Tenants for Life and other Persons respectively as last aforesaid, and all Persons succeeding them respectively in the Possession or Title of or to the said respective Lands to be so charged and mortgaged as last aforesaid, and holding or being entitled to the same for any limited Estate or Interest therein, shall respectively, by and out of the Rents and Profits of the said respective Lands to be so charged and mortgaged as last aforesaid, pay and keep down the Interest of the same Mortgages respectively, by half-yearly Payments, when and as the said Interest shall from Time to Time become due and payable.

Power for Persons having limited Interests to charge the Assessments upon the Inheritance of their Lands.

CXV. And inasmuch as the said several Lands so respectively charged with the said respective Contributions of the several Sums of Two thousand and five hundred Pounds and Three hundred and fifty Pounds, as aforesaid, are severally excepted out of the Operation of the said recited Act passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, and are thereby exempted from Taxation; be it therefore further enacted and declared, That notwithstanding the respective Owners of the said several last-mentioned Lands have consented and agreed that the same shall be respectively charged in the Manner hereinbefore mentioned towards the Execution of the several Works by this Act authorized to be made and executed as aforesaid, nothing herein contained shall extend or be construed into a Right to tax, nor shall the said *North Level* Commissioners at any Time after the passing of this Act assess, rate, or tax the said several last-mentioned Lands or any of them, or any of the Owners or Occupiers thereof, with any Tax, Charge, or Contribution, for any other Works hereafter

Contributions from the Lands in Newborough and Sutton Commons not to be construed into a Right for any future Charge thereon.

to be made or done for the Improvement of the said *North Level* and *Great Portsand*, or any Part thereof, whether the same be for the more effectual Drainage of the said *North Level* and *Great Portsand* or any Part thereof, or for any Works in any Manner connected therewith, or for any other Purpose whatsoever; and that notwithstanding this Act, or any thing herein contained, the said last-mentioned Lands, and the Owners and Occupiers thereof respectively shall be and continue exempt from all Jurisdiction, Power, or Authority given or reserved under or by virtue of the said recited Acts respectively passed in the Fifteenth Year of the Reign of His late Majesty King *Charles* the Second, the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of His late Majesty King *George* the Third, or any of them, or any other Act or Acts for amending or altering the same or any of them, in as full and ample Manner, to all Intents and Purposes whatsoever, as they are now respectively exempt from such Jurisdiction, Power, and Authority respectively.

Power to agree with Commissioners of Districts and Proprietors of Lands for Drainage of their Lands.

CXVI. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and empowered, pursuant to any Order made at a Special Meeting of the said Commissioners at which Forty at least of the said Commissioners shall be present and shall concur in such Order, the Chairman of the said Meeting being One of the said concurring Commissioners, on the Petition of any Commissioners of any District for Drainage within the Hundred of *Wisbeck*, pursuant to any Order made at any of their Meetings, such petitioning Commissioners being altogether the Proprietors of Three Parts in Five in Quantity of the Lands comprised in the same District, and by the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth made liable to the Payment of any Contribution or Contributions towards the Works authorized to be made by the said last-mentioned Act, or on the Petition of the Proprietors of Three Parts in Five in Quantity of any Lands situate in any Parish or Hamlet within the said Hundred, or within the respective Hamlets of *Sutton Saint Edmund's* and *Sutton Saint James's* or the Parish of *Tid Saint Mary's* in the County of *Lincoln*, adjoining or near to the said intended *North Level Main Drain*, and by the said last-mentioned Act made liable to the Payment of any such Contribution or Contributions as aforesaid, at any Time or Times after the passing of this Act to take, comprise, and include the several Lands respectively situate in such District, Parish, or Hamlet respectively, or any Part or Parts of such several Lands, within the Drainage intended to be provided by this Act for the Purpose of discharging the Waters from the said several last-mentioned Lands by means of a natural Drainage by and through the said *North Level Main Drain* and *North Level Sea Sluice* to and into the said *Nene Outfall Cut*, upon the Payment of such Sum or Sums of Money, either in gross or annually, or both, and upon conformity with and subject to such Regulations, Gauges, and Restrictions as the said *North Level* Commissioners and Parties so respectively petitioning shall agree upon as just and reasonable; and on any such Agreement being so made the several Lands respectively situate in such District, Parish, or Hundred, and comprised in

such Agreement respectively, shall have the Benefit of the said *North Level Main Drain*, and *North Level Sea Sluice*, and other Works by this Act directed or authorized to be made, in common with the other Lands within the Drainage intended to be provided by this Act, and subject to such Regulations, Gauges, and Restrictions as aforesaid; and all such Sum and Sums of Money as shall be so agreed to be paid shall be a Charge or Charges from Time to Time upon all and singular the Lands for or in respect of which the same Sum and Sums shall respectively be agreed to be paid, rateably and proportionably by the Acre, and upon the respective Owners and Occupiers of such Lands respectively, and shall and may be received, and in default of Payment recovered, by the said *North Level Commissioners*, with such Penalties, Costs, and Charges, in such or the like Manner and by such or the like Ways and Means as any Tax or Assessment by this Act assessed, taxed, or charged or authorized to be assessed, taxed, or charged, upon, for, or in respect of any of the Lands lying within the said Five Districts of the *North Level* and *Great Portsand*, or any Penalty, Costs, or Charges, is or are by this Act directed or authorized to be received and recovered; and the Commissioners and Proprietors so respectively petitioning and agreeing as aforesaid shall have such and the same Powers of raising, borrowing, paying, and applying all or any Sum or Sums of Money which shall or may be agreed to be paid by them respectively as aforesaid, together with all Costs and Charges to be incurred by them in relation thereto, by all or any of the Ways and Means, and under and subject to all and every or any of the Powers, Authorities, Conditions, and Restrictions, which they the said Commissioners and Proprietors so respectively petitioning and agreeing as aforesaid respectively now have or shall have, or are or shall be invested with, under any Authority, Law, Custom, or Usage now or hereafter to be in force relating to their said several Lands respectively, and made, enacted, given, used, or employed for the Drainage, Preservation, or Improvement thereof respectively; and every such Agreement to be made on Petition as aforesaid, being reduced into Writing, and duly signed and sealed by any Five or more of the said *North Level Commissioners*, of whom their Chairman for the Time being shall be One, and by the same Number or more of the Commissioners or Proprietors so respectively petitioning and agreeing as aforesaid, and being enrolled with the Clerk of the Peace for the Isle, Division, or Jurisdiction within which the said Lands shall be respectively situate, shall be valid and effectual for the several Purposes thereby intended, and shall be binding, as well upon the said *North Level Commissioners* and the said Commissioners and Proprietors so respectively petitioning and agreeing as aforesaid, as also upon all other the Commissioners of the Districts and Proprietors and Occupiers of the Lands in respect of which such Agreement shall have been made as aforesaid, and all other Parties interested therein respectively; and a Copy of or Extract from the Inrolment of every such Agreement, under the Hand of such Clerk of the Peace or of his Deputy for the Time being, shall be admitted and taken as Evidence of such Agreement, and the Matters and Things therein contained, in all Courts and on all Occasions whatsoever; and from Time
to

to Time, upon any such Agreement as aforesaid being made and entered into, the said *North Level* Commissioners shall and they are hereby authorized and required, as soon as conveniently may be thereafter, to make and construct any Branch Drain or Drains, in such Place or Places and in such Direction or Directions respectively as they shall deem expedient, from the respective Lands of the Commissioners and Proprietors so respectively agreeing as aforesaid, through, across, or under any intervening Lands and Drains or any of them, or any Part thereof respectively, to join and communicate with some Part or Parts of the said intended *North Level Main Drain*, with proper and sufficient Banks and Forelands to the said Branch Drain or Drains, and all other Conveniences thereto, and all such Sluices, Tunnels, Slackers, Pointing Doors, Culverts, and other Works as to the said *North Level* Commissioners shall appear to be necessary or proper for passing or conveying the Waters from the respective Lands of the Commissioners and Proprietors so respectively agreeing as aforesaid, by a natural Drainage, through and by means of the said Branch Drain or Drains, Sluices, Tunnels, Slackers, Pointing Doors, Culverts, or other Works, to and into the said intended *North Level Main Drain*, and to take and acquire all Lands, Tenements, and Hereditaments which shall be necessary for those Purposes; and such Branch Drain or Drains, and the Banks and Forelands thereof, and all such Sluices, Tunnels, Slackers, Pointing Doors, Culverts, and other Works as aforesaid, shall at all Times thereafter belong to and be maintained and kept in repair by and at the Expence of the said Commissioners and Proprietors respectively for whose Benefit or Use the same shall have been respectively made as aforesaid, and shall be used and enjoyed by them respectively at all Times, as well for the Discharge of the Waters through and along the same Branch Drains, Sluices, Tunnels, Slackers, Pointing Doors, Culverts, and other Works respectively, from their said Lands respectively, to and into the said intended *North Level Main Drain*, as also for the Purposes of Navigation, without any Interruption or Controul of or from the said *North Level* Commissioners or their Committee or Officer, but subject and liable nevertheless to such several Rules, Restrictions, and Regulations in regard to Drainage as in any such Agreement as aforesaid shall have been mentioned, and subject and liable to such several Tolls, Duties, Payments, Rules, Restrictions, and Regulations in regard to Navigation as are by this Act granted, made payable, provided, and authorized, and as shall from Time to Time be charged, directed, ordered, or made by the said *North Level* Commissioners under the Authority of this Act; and all the Costs and Charges of making and constructing the said respective Branch Drains, and the several Banks, Forelands, and Sluices thereof, and of all and singular other the Works which shall be necessary for the several Purposes last hereinbefore mentioned, or consequential thereon, and of purchasing, taking, or using any Lands, Tenements, or Hereditaments for the making or constructing of the same respectively, shall from Time to Time, and as the same shall become due and payable by virtue of any such Agreement to be entered into as aforesaid, be paid by the respective Commissioners and Proprietors respectively for whose Benefit or Use the same shall be respectively made as aforesaid, to the said *North Level* Commissioners or their
Treasurer,

Treasurer, on Demand to be made by them or him, of and from the said Commissioners and Proprietors respectively, or any of them, and in default of the Payment thereof on such Demand shall and may be enforced and recovered by the said *North Level* Commissioners in such and the same Manner, and with such and the same Penalties, and by such and the same Remedies and Means, as are hereinbefore respectively directed or provided for recovering and enforcing Payment of the several and respective Sums of Money in this Provision hereinbefore mentioned; and the said Commissioners and Proprietors so respectively agreeing as aforesaid shall have and they are hereby invested with such and the same or the like Powers respectively of raising, levying, paying, and applying such last-mentioned Costs and Charges, together with all Costs and Charges to be incurred by them respectively in relation thereto, as are given or reserved to them the said Commissioners and Proprietors respectively, or as they the said Commissioners and Proprietors respectively are invested with, under or by virtue of the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, for raising, levying, paying, and applying the respective Contributions thereby directed to be made by the said Commissioners and Proprietors respectively towards the Works authorized to be made by the said last-mentioned Act, or under or by virtue of any Authority, Law, Custom, or Usage now or hereafter to be in force relating to their said several Lands respectively, and made, enacted, given, used, or employed for the Drainage, Preservation, or Improvement thereof respectively; and all and singular the Monies which shall be paid to and received by the said *North Level* Commissioners by virtue of any such Agreement to be so made as aforesaid shall be applied and disposed of by the said last-mentioned Commissioners for the several Purposes of this Act.

CXVII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners and they are hereby authorized, in their Discretion, from Time to Time when and as and for such Time or Times only as they shall think proper, to admit a Navigation by Lighters, Boats, Vessels, and Craft of such Kinds and Descriptions as they the said Commissioners shall from Time to Time think proper, but not exceeding Twenty Tons in Burthen, of and upon the said intended *North Level Main Drain*, or any Part or Parts thereof between *Clows Cross* aforesaid and the *Nene Outfall Cut* aforesaid, and to permit such Lighters, Boats, Vessels, and Craft to be haled and towed by One or more Horse or Horses or other Beast or Beasts of Draught, on any of the Banks or Forelands of the said Main Drain, at such Times, and under and subject to such Orders, as well for continuing and using the said Navigation as for discontinuing, stopping, or suspending the same from Time to Time, as the said Commissioners shall in their Discretion think proper to direct, order, or make; and also, for the Purposes of such Navigation, to make and provide, and from Time to Time maintain, any Towing Paths, Slipways, Horse or Haling Ways, Bridges, Wharfs, Landing Places, and other Conveniences to, upon, through, over, under, across, or adjoining or near to the said Main Drain, or any of the Banks or Forelands thereof, or any Banks, Ways, Drains, or Watercourses

Power for Commissioners to admit Navigation on the Main Drain between Clows Cross and the Nene Outfall Cut.

[*Local.*]

16 O

adjoining

adjoining or near thereto, so that no Obstruction or Impediment shall be thereby occasioned to the free Passage of the Waters through and along the said Main Drain, or any other of the said Drains or Water-courses, for the Purpose of Drainage; and also to purchase such Lands and Buildings under the Provisions of this Act, as to the said Commissioners in their Discretion shall from Time to Time appear convenient or requisite for any of the Purposes aforesaid; and also from Time to Time to fix or put down, or to cause or allow to be fixed or put down, in and upon any of the Banks or Forelands of or adjoining or near to the said Main Drain, all such Piles, Posts, Windlasses, and other Conveniences for stopping and mooring the Lighters, Boats, Vessels, and Craft to be navigated in, along, or through the said Main Drain, or any Part thereof, or for landing any Goods therefrom, or receiving any Goods on board thereof respectively, at such respective Places as to the said Commissioners in their Discretion shall from Time to Time appear convenient or proper.

Horses not
to hale upon
the Sluices.

CXVIII. Provided always, and be it further enacted, That no Horse or other Animal shall be allowed at any Time to pass, with any haling or towing Line or Rope attached thereto, over or upon the said *North Level Sea Sluice*, or over or upon any Bridge to be erected by or under the Authority of the said *North Level Commissioners* across any Part of the said *North Level Main Drain*, or over or upon any Sluice or Wharf to be erected by or under the Authority of the said Commissioners on either Side of the said Main Drain, except in those Places in which Haling or Horse Bridges or other convenient Haling Ways shall not have been made and provided by the said Commissioners; but that every Horse or other Animal which shall be used in or for the haling or towing of any Vessel along the said Main Drain shall be loosened from the Line or Lines fixed to such Vessel before such Horse or other Animal shall be allowed to pass over the said Sea Sluice, or any other such Bridge, Sluice, or Wharf as aforesaid, except in such Places as aforesaid.

Navigation
to be under
Controul of
the Com-
missioners.

CXIX. Provided also, and be it further enacted, That the said Navigation so to be admitted as aforesaid upon the said Main Drain shall be wholly and exclusively under the Direction, Superintendence, and Controul of the said *North Level Commissioners*, who shall from Time to Time and at all Times hereafter have full Power and Authority to regulate, suspend, stop, close, and re-open the same, along or upon the Whole of the said Drain or any Part or Parts thereof, when and as they shall from Time to Time think proper and order or direct, and shall also have full Power and Authority at any Time or Times, when and so often and so long as they shall think proper, to prevent any Lighter, Boat, Vessel, or Craft worked by any Means or in any Manner which shall appear to the said Commissioners to be prejudicial to the said Main Drain, or to any of the Banks or Forelands thereof, or to the Drainage by or through the same, from being navigated or used on the said Main Drain or any Part thereof.

Commis-
sioners not
to admit

CXX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said *North Level Commissioners*, or any Person acting under their Authority, to abstract,

abstract, convey, or pass any Waters from or out of any Part of the River on the South Side of the North Bank of *Moreton's Leam*, between *Peterborough* and *Wisbech*, into or through the said *North Level* or any Part thereof, and through the said Two Sluices to be erected at *Clows Cross* aforesaid, or either of them, into the said intended *North Level Main Drain*, for supplying the said Main Drain with Water for the Purposes of Navigation, or for supplying any Lands or Drains adjoining to or communicating with the said Main Drain with Water for the Use of the said Lands or of any Stock or Cattle thereon; but that the said Commissioners shall and may notwithstanding admit and pass, and suffer to be admitted and passed, through the said Sluices and each of them, into the said Main Drain, for the Purpose of conveying the same in their Course of Drainage to and through the said *North Level Sea Sluice* to Sea, any Waters which shall have been admitted into the said *North Level* and *Great Port-sand*, or either of them, or into any of the Drains or Watercourses within or belonging to the same respectively, by any Body or Bodies, or Person or Persons, now lawfully authorized or entitled so to admit the same: Provided also, that nothing in this Provision contained shall diminish, interfere with, or prejudicially affect the Power, Right, or Title of any such last-mentioned Body or Bodies or Person or Persons, being so lawfully authorized or entitled as last aforesaid, to admit and pass the Waters into and through the said Drains and Watercourses, or any of them, for any Purpose or Purposes, in as full and ample Manner as they are now respectively authorized or entitled to admit or pass the same.

Waters through the North Level and Clows Cross Sluices for Navigation but without prejudice to existing Rights.

CXXI. And be it further enacted, That the said *North Level* Commissioners shall have full Power and Authority at their several Meetings from Time to Time to make, alter, amend, and order such Bye Laws, Rules, and Regulations as they shall think proper for the well-usage of the said Navigation so to be admitted as aforesaid upon the said *North Level Main Drain*, or any Part or Parts thereof, and for the due and orderly Government of the Lightermen, Boatmen, and other Persons using the said Navigation, or any of the Towing Paths, Roads, Ways, Bridges, Wharfs, Landing Places, or other Conveniences belonging to the same, and for that Purpose to impose and inflict such reasonable Fines, Penalties, and Forfeitures (not being inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *Great Britain*, or any of the Provisions of this Act,) upon all Persons offending against any of such Bye Laws, Rules, or Regulations, as to the said Commissioners at their said several Meetings shall seem meet, not exceeding the Sum of Ten Pounds for each Offence; and all such Bye Laws, Rules, and Regulations, being severally reduced into Writing, and signed by the Chairman of the Meeting at which the same shall be respectively made, altered, amended, or ordered, shall be printed and circulated, and shall be binding upon and be observed by all Persons concerned therein, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same and in conformity therewith; and a Copy of all such Bye Laws, Rules, and Regulations shall be painted on a Board in legible Characters, and be affixed and continued in some conspicuous Place upon or near to the said *North Level*

Power for Commissioners to make Bye Laws for regulating the Navigation.

Level Sea Sluice, and renewed as often as the same shall become illegible or imperfect: Provided nevertheless, that such several Bye Laws, Rules, and Regulations shall be subject to Appeal in manner hereinafter mentioned.

Power for
Commissioners to take
Navigation
Tolls on
Main Drain.

CXXII. And be it further enacted, That from and immediately after the opening of the said Navigation, and during the Continuance thereof from Time to Time, upon or along the said *North Level Main Drain* or any Part thereof, it shall be lawful for the said *North Level Commissioners*, and for any Collector or Collectors, or other Person or Persons appointed or authorized by the said Commissioners in that Behalf, and they are hereby severally empowered, to demand and receive, or to cause to be demanded and received, from the Master or other Person having the Command or Care of any Lighter, Boat, Vessel, or Craft, for or in respect of such Lighter, Boat, Vessel, or Craft passing or navigating into, upon, or along any Part or Parts of the said Main Drain which shall be open and permitted for Navigation as aforesaid, such several Navigation Tolls for or in respect of any such Lighter, Boat, Vessel, or Craft, and also for or in respect of any Goods, Wares, Merchandize, Cattle, Animals, Matters, or Things conveyed or carried on board of the same, or attached thereto, as are hereinafter mentioned and specified; that is to say, such Sum, not exceeding Three Shillings, as the said Commissioners shall from Time to Time order, direct, and appoint, for every or any Lighter, Boat, Vessel, or Craft, being light, or having any Goods, Wares, Merchandize, Cattle, Animals, Matters, or Things conveyed or carried on board of the same or attached thereto, the Tonnage of which shall together and in the whole be less than Three Tons; and either the Sum of Twenty Shillings for every Lighter, Boat, Vessel, or Craft, and the Goods, Wares, Merchandize, Cattle, Animals, Matters, or Things conveyed or carried on board of the same or attached thereto, the Tonnage of which shall together and in the whole amount to Three Tons or upwards, or the Sum of One Shilling *per* Chaldron for Coals, and One Shilling *per* Ton for all other Goods, Wares, Merchandize, Cattle, Animals, Matters, and Things conveyed and carried on board of every Lighter, Boat, Vessel, or Craft, the Tonnage of which shall together and in the whole amount to Three Tons and upwards, as the said Commissioners shall from Time to Time order, direct, and appoint.

Exemption
from and
Power to re-
duce Navi-
gation Tolls.

CXXIII. Provided always, and be it further enacted, That no such Toll shall be demanded or taken of or from any Person or Persons, for or in respect of any Lighter, Boat, Vessel, or Craft, or any Goods, Implements, or Materials conveyed or carried on board of any Lighter, Boat, Vessel, or Craft, which shall be navigated or used upon the said Main Drain, wholly for or in the Service of the Corporation of the *Bedford Level*, the Commissioners of the *Nene Outfall*, and the said *North Level Commissioners*, or any of them; and that it shall be lawful for the said *North Level Commissioners* at any Time or Times to remit the said Tolls or any of them, or to reduce the same or any of them to any Amount, when and so often and for and during such Time or Times only as they shall from Time to Time think proper, and order and direct, for and in respect of any Lighter, Boat, Vessel,

or Craft, and any Goods, Implements, or Materials conveyed or carried on board of any Lighter, Boat, Vessel, or Craft, which shall be navigated or used upon the said Main Drain, for the Use or Benefit of any public Highway, Road, Bridge, or other public Work.

CXXIV. And be it further enacted, That every Person who shall at any Time have the Command or Care of or navigate any Lighter, Boat, Vessel, or Craft upon or along the said *North Level Main Drain* or any Part thereof, shall, upon Demand made by any Collector or Collectors, or other Person or Persons appointed or authorized by the said *North Level* Commissioners in that Behalf, give a just and true Account according to the best of his Knowledge and Belief, of the Tonnage of the same, and the Quantity, Number, and Kind of all such Goods, Wares, Merchandize, Cattle, Animals, Matters, and Things as shall be in such Lighter, Boat, Vessel, or Craft, or attached thereto; and if any Person liable to give such Account as aforesaid shall refuse so to do, or shall deliver in a false or inaccurate Account, or shall refuse or neglect to pay the Tolls justly due for such Lighter, Boat, Vessel, or Craft, or for any such Goods, Wares, Merchandize, Cattle, Animals, Matters, or Things as aforesaid, he shall in every such Case forfeit and pay to the said *North Level* Commissioners, as a Penalty, any Sum not exceeding Ten Pounds over and above the Tolls justly due and payable by him for such Lighter, Boat, Vessel, Craft, Goods, Wares, Merchandize, Cattle, Animals, Matters, or Things as aforesaid.

Account to be given of Goods on board of Vessels.

CXXV. And be it further enacted, That in case the said several Navigation Tolls hereinbefore authorized to be demanded and received shall not respectively be paid, on Demand, to the Collector or Collectors or other Person or Persons appointed or authorized to demand and receive the same as aforesaid, it shall be lawful for the said Collector or Collectors, or other Person or Persons aforesaid, to seize and distrain the Lighter, Boat, Vessel, or Craft for or in respect of which such Tolls shall be respectively payable, or any Goods, Wares, Merchandize, Cattle, Sheep, Animal, Matter, or Thing on board of the same, or any Goods, Wares, Merchandize, Cattle, Sheep, Animals, Matters, or Things for or in respect of which such Tolls shall be respectively payable, or the Lighter, Boat, Vessel, or Craft on board of which the same shall respectively be, for the Payment of the said Tolls respectively; and if the said Tolls shall not be paid within Five Days next after such Seizure made, then it shall be lawful for such Collector or Collectors, or other Person or Persons as aforesaid, to sell and dispose of the Distress which shall have been made for the same, or any Part or Parts thereof, and out of the Monies arising by such Sale to deduct the said Tolls, together with the Charges attending such Seizure, Distress, and Sale, rendering the Overplus of the said Monies, and what shall remain unsold of such Distress (if any), on Demand, to the Owner or Owners of the Goods, Chattels, or Effects which shall have been so distrained as aforesaid, or to the Person or Persons in whose Custody or Possession the same respectively were at the Time of such Seizure and Distress.

Remedy in case of Non-payment of Navigation Tolls.

Table of
Navigation
Tolls to be
fixed up.

CXXVI. Provided always, and be it further enacted, That the said *North Level* Commissioners shall and they are hereby required to cause a printed Table of the said several Navigation Tolls, with the Name or Names of the Collector or Collectors thereof, to be fixed up in a conspicuous Manner upon or near to the said *North Level Sea Shuice*, and to renew or cause to be renewed such Table whenever the same shall become illegible or imperfect; and that it shall not be lawful for the said Commissioners or their Collector to enforce by Seizure or otherwise the Payment of any such last-mentioned Tolls, if refused to be paid, at any Time when such Table of Tolls shall not be so affixed as aforesaid.

Power for
Commission-
ers to take
Bank Tolls.

CXXVII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and for any Collector or Collectors, or other Person or Persons authorized by the said Commissioners in that Behalf, and they are hereby severally empowered, to demand and receive, or to cause to be demanded and received, at such Toll Bars or Toll Chains as they may think fit to erect or place upon both or either of the said Banks of the said intended *North Level Main Drain* (and which said Toll Bars and Toll Chains the said Commissioners are hereby authorized to erect, place, keep, and maintain upon the said Banks or either of them), such several Bank Tolls for every and any Horse, Mule, Ass, Beast, or Cattle which shall pass by or through such Toll Bars or Toll Chains respectively, before such Horse, Mule, Ass, Beast, or Cattle shall be permitted to pass through the same, as the said *North Level* Commissioners shall from Time to Time, at their several Meetings, think proper, and order, direct, or appoint, not exceeding the several Sums following; (that is to say),

Bank Tolls.

For every Horse, Mule, Ass, or other Beast of Burthen, laden or not laden, or drawing or not drawing, the Sum of Two-pence:
For every Drove of great or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:
And for every Drove of Calves, Sheep, Lambs, Hogs or Pigs, or other small Cattle, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number.

Remedy in
case of Non-
payment of
Bank Tolls.

CXXVIII. And be it further enacted, That in case of Neglect or Refusal of Payment of any of the said Bank Tolls, on Demand, the said Collector or Collectors, or other Person or Persons so appointed or authorized as aforesaid, is and are hereby empowered and required to seize and detain the Horse, Mule, Ass, Beast, Calf, Sheep, Lamb, Hog, Pig, or other Cattle, or any One or more of the several Horses, Mules, Asses, Beasts, Calves, Sheep, Lambs, Hogs, Pigs, or other Cattle for or in respect of which the last-mentioned Tolls or any of them shall respectively be payable by virtue of this Act; and in case the Toll or Tolls for Nonpayment of which such Seizure shall be made shall not be paid within Five Days next after such Seizure made, it shall be lawful for the said Collector or Collectors, or other Person or Persons as aforesaid, to sell every or any such Horse, Mule, Ass, Beast, Calf, Sheep, Lamb, Hog, Pig, or other Cattle so seized as aforesaid, and out of the Money arising from

from the Sale thereof to deduct and retain the said Toll or Tolls so neglected or refused to be paid as aforesaid, and the reasonable Costs and Charges attending such Seizure, Detention, and Sale as aforesaid, and attending the keeping and Maintenance of the Animal or Animals so seized as aforesaid, rendering the Overplus of the said Money (if any there be), on Demand, to the Owner or Owners of such Horse, Mule, Ass, Beast, Calf, Sheep, Lamb, Hog, Pig, or other Cattle, or to the Person or Persons in whose Custody or Care the same was at the Time of the Seizure thereof.

CXXIX. Provided always, and be it further enacted, That no Person or Persons, having paid any of the said last-mentioned Bank Tolls at any One Toll Bar or Toll Chain or other Place on either of the said Banks of the said Main Drain, shall be liable to pay any such Bank Toll at the same or any other Toll Bar or Toll Chain or Place on the same Bank during any Part of the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) on which he shall have paid such last-mentioned Toll, for the same Animal or Cattle for which such last-mentioned Toll shall have been paid.

Bank Tolls to be taken only at One Toll Bar on the same Bank.

CXXX. Provided also, and be it further enacted, That no such Toll shall be demanded or taken of or from any Person or Persons at any such Toll Bar or Toll Chain to be erected or placed on either of the Banks of the said Main Drain by virtue of this Act as aforesaid, for or in respect of any Horse, Beast, or other Animal actually and wholly employed or used for the Time being by or in the Service of the said *North Level* Commissioners, or by or in the Service of the Corporation of the *Bedford Level*, or the Commissioners of the *Nene Outfall*; nor for any Horse or other Animal which shall be ridden by any Occupier of any Land situate in any Part of the said *North Level* and *Great Portsand*, or his or their Servant or Servants going or returning to or from such Land, or by any Occupier of any Land adjoining to either of the Banks of the said Main Drain, or his or her Servant or Servants going or returning to or from such Land, or by any Member of the said Corporation of the *Bedford Level*, or any of their Officers or Servants being upon the actual Business of the said Corporation, or by any of the said *North Level* Commissioners, or any of their Officers or Servants being upon the actual Business of the said Commissioners, or by any Commissioner for the *Tid* and *Newton* Drainage District, or any of their Officers or Servants being upon the actual Business of the Drainage of the said District, or by any Inhabitant of the Parishes of *Tid Saint Giles's* and *Newton* or of either of them, or of that Part of the Parish of *Tid Saint Mary's* and the Hamlet of *Sutton Saint Edmund's* or either of them which lies on the *Wisbech* Hundred Side of the *Shire Drain*, nor for any Beast, Sheep, or other Cattle going to or returning from Pasture in any of the said several Lands in this Provision mentioned.

Exemptions from Bank Tolls.

CXXXI. Provided also, and be it further enacted, That the said *North Level* Commissioners shall and they are hereby required to cause a printed Table of the said several Bank Tolls, with the Name or Names of the Collector or Collectors thereof, to be fixed up in a conspicuous

Table of Bank Tolls to be put up.

conspicuous Manner at every Toll Bar or Toll Chain at which the same shall be demanded, and to renew or cause to be renewed such Table whenever the same shall become illegible or imperfect; and it shall not be lawful for the said Commissioners or their Collector to enforce, by Seizure or otherwise, the Payment of any of such last-mentioned Tolls, if refused to be paid, at any Time when such Table of Tolls shall not be so affixed as aforesaid.

Penalty on
evading
Tolls.

CXXXII. And be it further enacted, That if any Person shall cause or knowingly suffer any Horse, Beast, Cattle, or Animal to go off or pass from either of the said Banks of the said *North Level Main Drain*, into, through, or over any Land or Ground adjoining or near to the same, with an Intent in such Person to evade the Payment of any of the said Bank Tolls hereby made payable, or if any Person shall pass by, through, or over any such Toll Bar or Toll Chain as aforesaid, with any Horse, Beast, Cattle, or Animal, without having paid the Toll or Tolls due and payable for the same, or if any Person shall knowingly take or claim Exemption from any of the said Navigation or Bank Tolls by this Act respectively made payable, not being lawfully entitled thereto; every Person so offending in any of the Cases aforesaid shall for every such Offence forfeit and pay to the said *North Level Commissioners* as a Penalty any Sum not exceeding Five Pounds.

Disputes
about Tolls
to be settled
by a Justice.

CXXXIII. And be it further enacted, That if at any Time any Dispute shall arise concerning the Amount of any of the said Navigation Tolls or Bank Tolls which shall be due or be claimed to be due, or concerning any Charges occasioned by any Distress or otherwise in relation thereto, it shall be lawful for the Collector, or any Person by him authorized in that Behalf, to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the Amount of such Tolls or Charges respectively shall be ascertained and determined by One or more Justice or Justices of the Peace for the County, Division, Isle, or Parts where such Dispute shall have arisen, which said Justice or Justices, upon Application to him or them made for that Purpose, is and are hereby authorized and required to examine the Matter upon the Oath of the Parties or of some Witness or Witnesses, and to determine the Amount of such Tolls or Charges respectively; and it shall be lawful for such Justice or Justices to assess and award such Costs to be paid by either of the Parties to the other of them as he or they shall think reasonable; and in case of Nonpayment of the Tolls, Charges, and Costs so ascertained and awarded as aforesaid, or any Part thereof, upon Demand, the same shall and may, by virtue of a Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same.

Punishment
of Collectors
for Misbe-
haviour.

CXXXIV. And be it further enacted, That if any Collector or other Person appointed or authorized to demand or receive the said Navigation Tolls and Bank Tolls by this Act respectively made payable, or any of them, shall at any Time knowingly take or demand a greater or less Toll from any Person than he shall be authorized to do by virtue

of this Act, or of the several Orders or Resolutions of the said *North Level* Commissioners made in pursuance hereof, or shall at any Time knowingly take or demand a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall unnecessarily detain or obstruct any Person in navigating along the said *North Level Main Drain*, or in passing upon either of the said Banks thereof, or shall improperly make use of any scurrilous or abusive Language to any such last-mentioned Person, then and in every such Case every such Toll Collector shall for every such Offence forfeit and pay to the said *North Level* Commissioners, as a Penalty, any Sum not exceeding Ten Pounds.

CXXXV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, or any Five or more of them, from Time to Time, by any Writing under their Hands and Seals, pursuant to any Order or Orders for that Purpose to be made by the said Commissioners at any of their Meetings to be holden under the Authority of this Act, to assign, demise, lease, or to farm let, either by Public Auction or by Private Contract, the said several Navigation Tolls and Bank Tolls by this Act respectively granted or made payable, or authorized to be demanded and received by or for the said Commissioners as aforesaid, or any or either of them, or any Part or Parts or Portion or Portions of the same, or any or either of them, to any Person or Persons who shall be willing to hire and farm the same respectively, from Year to Year, or for any Term not exceeding Seven Years, for such Sums either annual or in gross, and upon such Terms and Conditions, and in such Manner, as the said Commissioners shall think proper.

Power to let
Tolls.

CXXXVI. And be it further enacted, That all and singular the said Taxes, Tolls, and other Monies so by this Act respectively assessed, taxed, and charged, and authorized to be demanded and received, or otherwise made payable to or for the Use of the said *North Level* Commissioners, as hereinbefore respectively mentioned, shall from Time to Time (except in the several Cases in which it is otherwise provided by this Act) be applied and disposed of by or under the Authority of the said *North Level* Commissioners in manner following; (that is to say,) in the first place, for and in paying and satisfying all and singular the Costs, Charges, and Expences of applying for and obtaining this Act of Parliament, and so much of the Charges of Advertisements, Meetings, Surveys, Plans, Estimates, Proceedings, Acts, Matters, and Things whatsoever had, made, or done preparatory to or consequential upon this Act, or for giving Effect to the same, and so much of all other incidental Costs and Charges whatsoever of or relating to this Act, or to the said Proceedings, or any of them, up to and inclusive of the Day of the First General Meeting of the said Commissioners, as the said Commissioners shall think proper to allow and pay; and, in the next place, for and in repaying to the said Commissioners of the *Nene Outfall*, pursuant to the said recited Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, all the Costs and Charges (to be ascertained and verified as therein provided) of taking down and removing the said *Gunthorpe Sluice*, and the Sluice

The Taxes,
Tolls, &c.
to be applied
in manner
herein di-
rected.

House and Buildings appertaining, thereto, (after deducting the Value of the old Materials thereof,) and of purchasing any Lands for and of constructing the said *North Level Sea Sluice*, and other Works respectively by the said last-mentioned Act authorized to be made or done at the Expence of the said *North Level Commissioners*, as therein mentioned, (save and except the Sum of Two thousand Pounds agreed, and by the same Act required to be paid out of their own Funds by the said *Nene Outfall Commissioners*, as and for their Proportion of the said last-mentioned Costs and Charges); and, in the next place, for and in paying and defraying all and singular the Costs, Charges, and Expences of making, executing, and completing the said intended *North Level Main Drain*, the said intended Sluices at *Clow's Cross*, and the said several *North Level Interior Drains*, and all or any other of the Drains, Banks, Sluices, Tunnels, and other Works by this Act authorized to be made and executed, (the Costs, Charges, and Expences whereof are not by this Act directed to be otherwise raised, paid, or provided for,) and of purchasing, taking, or using any Lands, Buildings, or Tithes for the said several Works, or any of them, or for any other of the Purposes of this Act, and of making any Compensations for Damages, and of executing the several Powers and Authorities hereby given to the said *North Level Commissioners* or their Committee for carrying this Act into execution; and, in the next place, for and in maintaining, supporting, preserving, and securing at all Times hereafter, as well the said *North Level Sea Sluice*, and the Sluice House, Works, and Appurtenances thereto belonging, and the said *North Level Main Drain*, and the said Two Sluices at *Clow's Cross*, by this Act severally authorized to be made and erected, as also all and singular the said *North Level Interior Drains* respectively hereinbefore allotted for the conveying of the respective Waters of the said Five several Districts of the said *North Level* and *Great Portsand* unto the said *Clow's Cross* and into the said Main Drain as aforesaid, with their several and respective Forelands, Ditches, Sluices, Tunnels, Slackers, and other Works and Appurtenances, and all and singular other the Works by this Act authorized to be made or executed by the said *North Level Commissioners*, or now or hereafter to be under the exclusive Authority, Management, Direction, or Controul of the same Commissioners, or their said Committee, by the Authority hereof or otherwise (the Costs, Charges, and Expences whereof are not by this Act directed to be otherwise raised, paid, or provided for); and also for and in repaying any Principal Money or Monies which shall be borrowed or taken up by the said Commissioners by way of temporary Loan under the Authority of this Act, and the Interest thereof respectively; and also for and in securing and paying the yearly Interest of any Mortgage or Mortgages, or any Annuity or Annuities, which shall be respectively made or granted by the said Commissioners of, upon, or out of all or any or any Part or Parts of the said several Taxes, Tolls, or other Monies to be raised or charged under the Authority of this Act, or under the respective Powers herein reserved or given to the said *North Level Commissioners*; and also for and in repaying and discharging or providing and raising a Sinking Fund for the Repayment and Discharge, yearly or otherwise, in the Discretion of the

the

the said Commissioners, of all or any Part of any Principal Sum or Sums of Money which shall have been borrowed by them upon any such Mortgage or Mortgages as aforesaid; and also for and in paying and satisfying the Costs and Charges of collecting and receiving from Time to Time the several yearly and other Taxes, Tolls, Rents; Revenues, and Funds payable or belonging to the said *North Level* Commissioners, from Time to Time, or any of them; and also for and in paying and discharging all such other Costs, Charges, Expences; Claims, and Demands whatsoever as shall from Time to Time be incurred or payable by the said Commissioners or their said Committee, in or about the carrying of this Act into execution.

CXXXVII. And for aiding the several Purposes of this Act, be it further enacted, That it shall be lawful for the said *North Level* Commissioners and they are hereby empowered at any of their said Meetings (Forty at least of the said Commissioners being there present) to provide and raise, or to direct or authorize their said Committee for the Time being to provide and raise, all or any Part of the Costs and Charges of making and completing the said *North Level Sea Sluice*, and the Works and Appurtenances thereof, and of making; executing, and completing the said *North Level Main Drain, Clow's Cross* Sluices, and Interior Drains, Sluices, Banks, and other Works by this Act authorized to be made and executed, or any of them; either by borrowing or taking up any Principal Sum or Sums of Money at Interest upon any Mortgage or Mortgages of all or any or any Part or Parts of the several yearly Taxes, Tolls, and other Monies so respectively assessed, taxed, and charged, and authorized to be demanded and received or otherwise made payable to or for the Use of the said Commissioners by the several Provisions of this Act as aforesaid, or by selling any Annuity or Annuities, to be payable out of all or any or any Part or Parts of the same Taxes, Tolls, and Monies during the Life or Lives of any One or more Person or Persons, or by both of the said Means, as the said Commissioners assembled at any of their said Meetings shall from Time to Time think proper or see Occasion so to provide and raise; and by Writing under the Hands and Seals of any Five of the said Commissioners present at any of their said Meetings, the Chairman of the Meeting being One of them, to assign or charge (as the Case shall be and require) the same Taxes, Tolls, and Monies, or any of them or any Part or Parts thereof respectively, to any Person or Persons who shall lend or advance any such Principal Sum or Sums of Money, or purchase any such Annuity or Annuities as aforesaid, as a Security or Securities for the Repayment of such Principal Sum or Sums of Money, with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*, or for the Payment of such Annuity or Annuities; and every such Security for the Repayment of any such Principal Sum or Sums of Money, with Interest, may be in the Form or to the Effect following, with such other Stipulations or Provisions to be inserted therein as the Case may require; (that is to say,)

Power for the Commissioners to raise Money by Mortgage or Annuity on their Taxes.

‘ WE of the *North Level* Commissioners
 ‘ acting in the Execution of an Act passed in the Eleventh
 ‘ Year of the Reign of His Majesty King *George* the Fourth, in
 ‘ titled

Form of Mortgage.

' intituled [*here set forth the Title of this Act*], do by virtue of the
 ' Power and Authority given to us by the said Act, and in con-
 ' sideration of the Sum of _____ paid to the said
 ' Commissioners by _____ bargain, sell, and assign unto
 ' the said _____ Successors and Assigns, or Exe-
 ' cutors, Administrators, and Assigns, [*as the Case may be,*] all
 ' and singular the Taxes and Monies by the said Act assessed,
 ' taxed, and charged upon, for, or in respect of the several Lands
 ' therein respectively mentioned or referred to, and all and singular
 ' the Navigation Tolls and Bank Tolls by the said Act authorized to
 ' be demanded and received by or made payable to or for the Use
 ' of the said Commissioners [*as the Case may be*]; to hold the same
 ' yearly Taxes and Monies, and the said Navigation Tolls and
 ' Bank Tolls, [*as the Case may be,*] unto the said
 ' _____ Successors and Assigns, or Executors, Adminis-
 ' trators, and Assigns, [*as the Case may be,*] until the said Sum of
 ' _____ together with Interest for the
 ' same after the Rate of _____ *per Centum per Annum*, to
 ' be computed from the Day of the Date hereof, shall be fully
 ' repaid and satisfied to him, her, or them, [*as the Case may be,*] such
 ' Interest to be paid by equal half-yearly Payments on the
 ' Day of _____ and the _____ Day of
 ' _____ in every Year in the meantime. Given under our
 ' Hands and Seals, the _____ Day of _____ in the
 ' Year of our Lord One thousand eight hundred and _____

And every such Security for the Payment of any such Annuity may
 be in the Form or to the Effect following, with such other Stipula-
 tions or Provisions to be inserted therein as the Case may require ;
 (that is to say,)

Form of
 Grant of
 Annuity.

' WE _____ of the *North Level* Commissioners
 ' acting in the Execution of an Act passed in the Eleventh
 ' Year of the Reign of His Majesty King *George* the Fourth,
 ' intituled [*here set forth the Title of this Act*], do by virtue of the
 ' Power and Authority given to us by the said Act, and in con-
 ' sideration of the Sum of _____ paid to the said
 ' Commissioners by _____ grant unto the said
 ' Successors and Assigns, or Executors, Administrators, and Assigns,
 ' [*as the Case may be,*] One Annuity or clear yearly Sum of _____
 ' _____ to be charged upon and issuing out of all
 ' and singular the yearly Taxes and Monies by the said Act
 ' assessed, taxed, and charged upon, for, or in respect of the several
 ' Lands and Grounds therein respectively mentioned or referred to,
 ' and all and singular the Navigation Tolls and Bank Tolls by the
 ' said Act authorized to be demanded and received by or made pay-
 ' able to or for the Use of the said Commissioners [*as the Case may*
 ' *be*]; the same Annuity or yearly Sum of _____
 ' to be paid and payable to the said
 ' Successors and Assigns, or Executors, Administrators, and Assigns,
 ' [*as the Case may be,*] during the Life of _____
 ' or during the Lives of _____ and the Lives and
 ' Life of the Survivors and Survivor of them, [*as the Case may be,*]
 ' _____ together

‘ together with a proportionate Part of the same Annuity or yearly
 ‘ Sum up to the Day of the Decease of the said
 ‘ or up to the Day of the Decease of the Survivor
 ‘ of them the said [as the Case may be].
 ‘ Given under our Hands and Seals, the Day of
 ‘ in the Year of our Lord One thousand eight hundred
 ‘ and

And Copies of all such Securities as shall be so made or granted by the said *North Level* Commissioners as aforesaid shall be respectively entered in a Book or Books to be kept for that Purpose by the Clerk of the said Commissioners; and such Book or Books may be inspected at all seasonable Times by any Person or Persons whomsoever, on Payment of the Sum of One Shilling to the said Clerk for every such Inspection.

CXXXVIII. 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 in the Manner and after the several Rates prescribed by an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities and Annuities for Terms of Years.* Restriction as to Rate of Annuities.

CXXXIX. And be it further enacted, That it shall be lawful for all and every Body and Bodies and Person and Persons to whom any such Security shall be so made as aforesaid, or who shall be entitled to the same, or to the Principal Money and Interest or Annuity thereby secured, or any Part or Proportion thereof, and he, she, and they is and are hereby respectively empowered, from Time to Time, by any Writing under his, her, or their Hand and Seal or Hands and Seals, to be indorsed on his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal or Hands and Seals, to assign or transfer such Security, or any Share thereof or Interest therein, and all or any Part of the Monies due or to become due thereon, to any Person or Persons whomsoever; and every such Assignment or Transfer shall be produced or notified to the Clerk of the said *North Level* Commissioners, who shall cause a Memorial thereof, specifying the Date thereof, and the Names, Additions, and Places of Abode of the several Parties thereto, and the Sum or Sums of Money or Annuity or Annuities therein mentioned to be transferred, to be entered in the said Book or Books to be kept for entering the said original Securities, for the Entry of which said Memorial the said Clerk shall be paid the Sum of Five Shillings and no more, by the Person or Persons producing or notifying such Assignment or Transfer as aforesaid; and after such Entry made of such Memorial as aforesaid, and not sooner or otherwise, such Assignment or Transfer shall entitle the Assignee or Assignees therein named, and his, her, or their Successors, Executors, Administrators, and Assigns, to the Benefit thereof, and of the original Security or of the Interest therein which shall have been thereby assigned or transferred; and every Assignee of any such Security shall and may in like Manner from Time to Time Securities to be assignable.

[Local.] 16 R assign

assign and transfer such Security from Time to Time, as he or she shall think proper.

Mortgagees and Annuity-tants to be Creditors in an equal Degree.

CXL. And be it further enacted, That the several Bodies or Persons to whom such respective Securities shall have been made or granted by the said *North Level* Commissioners as aforesaid, and their respective Successors, Executors, Administrators, and Assigns, shall be Creditors upon the said several Taxes, Tolls, and Monies thereby respectively charged therewith in an equal Degree one with another, according to the Amount of the respective Principal Sums of Money and Annuities which shall be thereby respectively secured to them; and any One or more of the said several Bodies or Persons, or his, her, or their respective Successors, Executors, Administrators, or Assigns, shall not have any Preference over any of the others of them, or his, her, or their respective Successors, Executors, Administrators, or Assigns, by reason of any Priority in the Date of such respective Securities or any of them, or in the Time of advancing the Monies for which the same shall have been respectively given.

Annuities to be Personal Estate.

CXLI. And be it further enacted, That all the said Annuities which shall be so granted by the said *North Level* Commissioners as aforesaid, shall be Personal Estate to all Intents and Purposes whatsoever.

The Treasurer of the Commissioners to pay the Interest, Annuities, and Principal Monies, as herein directed.

CXLII. And be it further enacted, That the Treasurer for the Time being of the said *North Level* Commissioners, or in case of his or their Default, then any Collector of the said Commissioners shall, upon receiving Notice in that Behalf from any Mortgagee or Annuity-tant for the Time being entitled to any such Security which shall have been so granted as aforesaid, and he is hereby authorized and required, with and out of the respective Taxes, Tolls, and Monies respectively comprised in or charged by such Security, to pay and keep down the yearly Interest or Annuity mentioned in and secured by such Security, by equal half-yearly Payments to the Party or Parties entitled thereto, and also to repay the Principal Money mentioned in and secured by such Security, to the Party or Parties entitled thereto, on the Day or respective Days and in the Manner appointed for the Repayment thereof in such Security, or in case no such Day shall be therein appointed, or in case the Payment of the said Principal Money shall have been postponed beyond the Day or Days which shall be therein appointed, by Consent of the Person or Persons entitled to receive such Principal Money, then, upon Six Calendar Months previous Notice in Writing for the Payment of such Principal Money being given to or left at the Dwelling House or Office for the Time being of the Treasurer or Clerk of the said Commissioners, by or on behalf of the Person or Persons for the Time being possessed of or entitled to such Mortgage or to the Principal Money and Interest thereby secured.

In default of Payment, the Taxes and Tolls to vest in the

CXLIII. And be it further enacted, That in case the Principal Money, Interest, or Annuity due by virtue of any Security which shall have been granted by the said *North Level* Commissioners as aforesaid shall not be paid by the said Commissioners or by their Treasurer

or

or Collector, on the Day or Days and in the Manner hereinbefore directed for the Payment thereof respectively, then and in any such Case the said several yearly Taxes, Tolls, and Monies which shall have been made liable to and charged with the Payment thereof respectively shall thereupon vest in the Mortgagee or Mortgagees and Annuitant or Annuitants to whom the same yearly Taxes, Tolls, and Monies shall have been respectively mortgaged or charged as aforesaid, or their respective Successors, Executors, Administrators, or Assigns, or in some Person or Persons to be nominated by them or the major Part of them in Trust for all of them, according to the respective Amounts of the several Principal Monies and Annuities secured to them respectively, until all the said Principal Monies, Interest, and Annuities in the Payment whereof Default shall have been made as aforesaid, and all further and accruing Interest or Annuity due upon the same Security or Securities, shall be fully paid and satisfied to the said several Mortgagees and Annuitants respectively, together with the Costs and Charges which shall have been occasioned to them respectively by the Nonpayment of the same Principal Monies, Interest, and Annuities respectively; and the said Mortgagees and Annuitants respectively, and their respective Successors, Executors, Administrators, and Assigns, shall have all such and the same Powers, Rights, Privileges, and Remedies for recovering, collecting, and receiving the said Taxes, Tolls, and Monies, or such of them or such Part or Parts thereof as shall be so mortgaged or charged to them respectively as aforesaid, as the said Commissioners would have had in case the said respective Mortgages or Annuities had not been made or granted.

Mortgagees
and An-
nuitants.

CXLIV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby empowered, in like Manner as aforesaid, to provide and raise, or to direct or authorize their said Committee to provide and raise, from Time to Time, by any of the Ways or Means and in the Manner hereinbefore mentioned, any Sum or Sums of Money which shall from Time to Time be required for paying off and discharging any Principal Money or Monies theretofore borrowed or taken up at Interest as aforesaid which shall from Time to Time be called in by the Person or Persons respectively entitled thereto, or which the said Commissioners or their said Committee shall from Time to Time think proper to pay off and discharge, or any Part thereof respectively, for the Payment of which there shall at the Time be no Fund, or no sufficient Fund, appropriated and available at the Disposal of the said Commissioners.

Power to
raise Money
for the Dis-
charge of
Principal
Monies
called in.

CXLV. Provided always, and be it further enacted, That when and as from Time to Time the several Principal Monies which shall have been borrowed or taken up at Interest by the said *North Level* Commissioners, under the Powers hereinbefore contained, and the Interest due for the same, shall be fully paid off and satisfied, and the several Annuities which shall have been granted by the said Commissioners under the Powers aforesaid shall be determined, and all Arrears thereof fully paid and satisfied, it shall be lawful for the said Commissioners,

When Mort-
gages are
paid off, and
Annuities
determined,
the Taxes
may be re-
duced.

missioners, and they are hereby authorized and empowered, at any of their Meetings, from Time to Time, and for and during such Time or Times only as they the said Commissioners shall think it expedient and proper, rateably and proportionably to lessen and reduce the said several yearly Taxes and Sums of Money so assessed, taxed, and charged upon, for, or in respect of the said several Lands lying within the said *North Level* and *Great Portsand* by virtue of this Act as aforesaid.

Power to raise Money on temporary Loan.

CXLVI. And inasmuch as it is expedient that the said *North Level* Commissioners should be enabled, for any urgent or immediate Purposes of this Act, to borrow Money by Way of temporary Loan; be it therefore further enacted, That it shall be lawful for the said *North Level* Commissioners, or for their Committee for the Time being, pursuant to any Order to be made at any Meeting of the said Commissioners, from Time to Time to borrow and take up any Sum or Sums of Money at their Discretion, by Way of temporary Loan, for any of the Purposes of this Act, to be secured by the Bond or Bonds of the said Commissioners, under the Hands and Seals of any Five or more of them (the Chairman of the Meeting at which such Loan shall have been ordered as aforesaid, or the Chairman or Deputy Chairman of the said Committee, being One), for the Repayment of such Sum or Sums of Money, with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*, to the Body or Bodies or Person or Persons who shall advance or lend the same, or to his, her, or their Successors, Executors, Administrators, or Assigns; and it shall be lawful for the said Commissioners, and they are hereby required, to repay such Sum or Sums of Money which shall from Time to Time be so borrowed and taken up as last aforesaid, with the Interest thereof, out of any of the Funds or Monies vested or to be vested in the said Commissioners by or under the Authority of this Act: Provided nevertheless, that every Sum of Money which shall be borrowed or taken up by the said Commissioners or their Committee upon any such Bond as aforesaid shall be made repayable at a Period not exceeding Three Years from the Date of such Bond, and that all the Principal Monies which shall be owing upon any such Bond or Bonds as aforesaid shall not, together and in the whole, exceed the Sum of Ten thousand Pounds at any One Time: Provided also, that any such Bond as aforesaid shall not in any way invalidate, prejudice, or affect any Security or Securities whatsoever made or granted, or to be made or granted by the said Commissioners under the Provisions or Authorities of this Act, upon any of the said Taxes, Tolls, or Monies hereby assessed, taxed, or charged, or authorized to be demanded or received respectively as aforesaid, for securing any Principal Sum or Sums of Money, with Interest, or any Annuity or Annuities to any Person or Persons, or Body or Bodies, notwithstanding any Priority of the Date of any such Bond, or otherwise.

Commissioners or Committee not to be personally answer-

CXLVII. Provided always, and be it further enacted, That the said Commissioners or Committee, or any of them, or the Heirs, Executors, or Administrators of any of them, shall not personally, nor shall the Goods, Chattels, Lands, or Tenements of any of them, be liable to or chargeable

chargeable with the Repayment of any Principal Money or Monies to be secured upon any such Bond or Bonds as aforesaid, or any Part thereof, or any Interest for the same, or any Costs or Charges, by reason of the Nonpayment thereof respectively, but the same shall respectively be Charges upon the said Taxes, Tolls, and Monies so hereby assessed, taxed, and charged, and authorized to be demanded and received respectively as aforesaid, without Prejudice nevertheless to any such Security or Securities on the said Taxes, Tolls, and Monies, or any of them respectively, as aforesaid.

able on
Bonds.

CXLVIII. And be it further enacted, That all such Sums of Money as shall from Time to Time be raised, borrowed, or received by the said *North Level* Commissioners or their said Committee, upon any such Mortgage, or for the Purchase of any such Annuity, or by any such Bond as aforesaid, shall be applied and disposed of by the said Commissioners from Time to Time in such and the same Manner as the several Taxes, Tolls, and other Monies assessed, taxed, and charged, and authorized to be demanded and received, by virtue of this Act, would or ought to have been applied and disposed of under the Provisions of this Act in case no such Bond, Mortgage, or Annuity had been granted.

Monies bor-
rowed to be
applied in
the same
Manner as
the Taxes.

CXLIX. And be it further enacted, That the several Receipts of the Treasurer or Treasurers for the Time being of the said *North Level* Commissioners shall from Time to Time be good, sufficient, and effectual Releases, Acquittances, and Discharges to all Bodies or Persons and Parties whomsoever, for all such Sums of Money by this Act directed or authorized to be paid to the said Commissioners or to their said Committee, or to their said Treasurer or Treasurers, or to be borrowed or taken up at Interest or otherwise raised by the said Commissioners for any of the Purposes of this Act, as in such several Receipts shall be respectively acknowledged to be received; and after taking such Receipts respectively the respective Bodies, Persons, or Parties paying the several Sums of Money therein respectively acknowledged to be received shall not be liable to see to the Application of the same respective Sums of Money, or any Part thereof, nor be answerable or accountable for any Misapplication or Nonapplication thereof.

The Re-
ceipts of the
Treasurer of
the Commis-
sioners to be
good Dis-
charges.

CL. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized, to invest or to cause to be invested any Money or Monies that may from Time to Time be at their Disposal, or in the Hands of their Treasurer, in Exchequer Bills, or in any Government Funds or Securities, or in the Hands of any Banker or Bankers, until such Money or Monies shall be required for the Purposes of this Act; and the said Commissioners or any of them, or their Treasurer, shall not be answerable or accountable for any Loss or Deficiency of the said Money or Monies which shall be occasioned by any such Investment under the Direction of the said Commissioners as aforesaid.

Power for
the Com-
missioners
to invest
Monies.

Commissioners not to be personally liable for Contracts.

CLI. And be it further enacted, That no Contract or Covenant which shall be made or entered into by the said *North Level* Commissioners or their said Committee, for any of the Purposes of this Act, shall be binding upon the said Commissioners or their said Committee, or any of them, personally or as Individuals in their private Capacity; nor shall the said Commissioners or their said Committee, or any of them, personally, or their respective Estates or Effects, be answerable for or subject to the Payment of any Sum or Sums of Money which the said Commissioners or their said Committee shall, in the Execution or under the Authority of the said recited Act passed in the Twenty-seventh Year of the Reign of the said late King *George* the Second, or of this Act, contract, covenant, engage, or agree to pay to any Body or Bodies or Person or Persons whomsoever (except only in those Cases wherein they shall respectively think proper expressly to make themselves personally and individually liable to the Payment thereof); and all Costs, Damages, and Expences which shall or may at any Time or Times be recovered against or incurred by the said Commissioners or their said Committee, or any of them, or their or any of their Officers or Servants, in or about any Suit or Suits at Law or in Equity for or by reason of any such Contract, Covenant, Engagement, or Agreement as aforesaid, or for or by reason of any thing done or omitted to be done in the Execution of this Act, or of any of the Powers or Authorities hereof, and also all Costs, Charges, Damages, and Expences which they or any of them shall pay, expend, sustain, or incur, or which shall be occasioned to them or any of them, for or by reason of any such Contract, Covenant, Engagement, or Agreement as aforesaid, shall be paid and discharged by the said Commissioners or their Treasurer out of the Funds and Monies to be raised and received by the said Commissioners or their Treasurer under the Authority of this Act, except in such Cases (if any) as are herein otherwise provided for.

All Bodies and Persons empowered to agree with the Commissioners for Sales and Compensations.

CLII. And be it further enacted, That it shall be lawful, as well for all Bodies, Persons, and Parties who shall be absolutely seised or entitled in their own respective Rights, for and on behalf of themselves respectively, and their respective Successors and Heirs, as also for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever who shall not respectively be so absolutely seised or entitled as aforesaid, not only for and on behalf of themselves respectively, and their respective Successors and Heirs, but also for and on behalf of their respective Issue, Remainder Men, Reversioners, Wives, Wards, and Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons whomsoever under any legal Disability, or having only limited or partial Rights or Interests, and for all Femes Covert who shall be seised, possessed, or entitled in their own respective Rights, and for all other Persons whomsoever who shall be seised, possessed, entitled, or interested of, to, or in any Lands or Buildings which shall be wanted for any of the Purposes of this Act, or of, to, or in any Tithes, whether Great or Small, or Modus or Composition in lieu thereof,

thereof, which shall be issuing or payable from or out of any such Lands, and for every or any of them to contract with the said *North Level* Commissioners or their said Committee for the Time being for the Sale of such Lands, Buildings, or Tithes respectively, and every or any Part thereof, to the said Commissioners, and to convey and assure the same unto or in Trust for the said Commissioners, or unto such Person or Persons and in such Manner as the said Commissioners shall direct, in Fee Simple or otherwise, or to agree with the said Commissioners or their said Committee for any Compensation to be made by the said Commissioners for any Damage which shall be done to any such Lands, Buildings, or Tithes in the Execution of any of the Works by this Act authorized to be made; and it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized and required, to contract with the said several Bodies, Persons, and Parties respectively, for the Purchase of such Lands, Buildings, and Tithes respectively; and all such Contracts, Sales, Purchases, Conveyances, and Agreements shall be valid and effectual in Law, and shall be binding as well on the said Commissioners as also on all Bodies, Persons, and Parties whatsoever who shall be then or thereafter interested in such Lands, Buildings, or Tithes respectively, to all Intents and Purposes whatsoever; and all such Lands, Buildings, and Tithes respectively which shall be so sold and purchased shall, on Payment of the Purchase Monies for the same in the Manner hereinafter directed, either with or without such Conveyance, and notwithstanding any Informality, be at the sole and absolute Use and Disposal of the said *North Level* Commissioners and their Successors, for the Purposes of this Act for ever.

CLIII. And be it further enacted, That if any Body, Person, or Party, so seised, possessed, entitled, or interested as aforesaid, or so capacitated by this Act to contract or agree as aforesaid, shall either refuse to treat with the said Commissioners or their said Committee, or shall, on his, her, or their Part, or on the Part of his, her, or their Cestuique Trusts, or on the Part of any other Person or Persons being under any legal Disability, or having only a limited or partial Interest as aforesaid, refuse to accept such Price or Compensation as shall be offered to him, her, or them by or on the Part of the said *North Level* Commissioners, and shall give Notice of such Refusal in Writing to the said Commissioners or their said Committee, or to their Clerk, or shall not agree with the said Commissioners or their said Committee, or with some Person or Persons authorized to act on behalf of the said Commissioners, for any such Price or Compensation to be paid or made by the said Commissioners as aforesaid, then and in every such Case it shall be lawful for the said *North Level* Commissioners, and they are hereby required, at some Meeting to be holden by them under the Authority of this Act, from Time to Time to issue a Precept, in Writing under the Hands of any Five or more of them, to the Sheriff or Chief Bailiff of the County or Isle in which the Lands or Buildings shall be situate, or the Tithes shall accrue, or the Matter in question or dispute shall arise, or in case such Sheriff or Chief Bailiff, or his Under Sheriff or Deputy Bailiff, shall be immediately interested in the Matter in question, then to One of the Coroners of the said County or Isle not being so interested

Price for
Lands, and
Compensa-
tion for
Damages, if
not agreed
upon, to be
assessed by
the Verdict
of a Jury.

interested as aforesaid, commanding such Sheriff, Chief Bailiff, or Coroner, who is hereby required, on receiving such Precept, to summon and return not less than Twenty-four nor more than Forty-eight substantial and indifferent Persons, qualified to serve on Juries within his Jurisdiction; and the Persons so to be summoned and returned as aforesaid are hereby required to appear before the Justices of the Peace at some Court of General Quarter Sessions of the Peace, to be holden in and for such County or Isle, or any Division of such County, as the Case may be, or at some Adjournment thereof, as in such Precept shall be directed, and to attend such Court from Day to Day until discharged by the said Court; and out of such Persons so to be summoned and returned as aforesaid a Jury of Twelve Men shall be impanelled by the Clerk of the Court in the usual Manner; and in case a sufficient Number of the said Persons so summoned and returned as aforesaid shall not appear, or cannot for any Cause be impanelled at the Time and Place appointed, the said Clerk shall impanel other honest and indifferent Men of the By-standers, or of others who can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve to be impanelled as aforesaid; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Clerk is hereby required, upon the Application of any of the Parties interested in the Matter in question, to summon before the said Justices any Witness or Witnesses touching the said Matter, and to direct the said Jury or any Six or more of them to view the Place or Places or Matter or Matters in question; and such Jury which shall be so impanelled as aforesaid shall, upon their Oaths (which Oaths, as well as the Oaths to such Witnesses, the said Justices are hereby empowered to administer or cause to be administered), inquire of, assess, and give a Verdict for the Sum or Sums of Money to be paid by the said *North Level Commissioners* to the respective Bodies, Persons, or Parties interested, or by this Act capacitated to contract or agree as aforesaid, as the Price for the Purchase of such Lands, Buildings, or Tithes respectively, or for any Interest or Interests therein respectively, or as a Compensation for any Damage which shall have been done to the same, or to the Parties interested therein respectively; and the said Justices shall give Judgment for such Sum or Sums of Money for which such Verdict of the said Jury shall have been so given as aforesaid; and the said Verdict, and the Judgment thereupon, shall be binding and conclusive to all Intents and Purposes upon all Bodies, Persons, and Parties whomsoever, interested or to become interested in the Premises: Provided nevertheless, that Fourteen Days Notice in Writing at the least of the Time and Place when and where such Inquiry by a Jury as aforesaid is intended to be had shall be given to the respective Bodies, Persons, or Parties who shall be so interested, or so capacitated to contract or agree as aforesaid, by leaving such Notice at the Dwelling House of the principal Officer or One of the principal Officers of such Bodies respectively, or at the Dwelling House of such Persons or Parties respectively, or of some or One of them, or with some Tenant or Occupier of the Premises respectively in respect of which such Price or Compensation shall be intended to be assessed as aforesaid.

CLIV. And be it further enacted, That in every Case where any Buildings or Lands which shall be purchased, taken, or used by the said *North Level* Commissioners, for any of the Purposes of this Act, are or shall be subject to any Tithes, whether Great or Small, growing, arising, renewing, or payable out of such Buildings and Lands, or are or shall be subject to any Modus, Composition, or Payment for or in lieu of any such Tithes, the Jury who shall inquire into and assess the Price or Sum to be paid for any such Buildings or Lands shall also inquire into and assess the Price or Sum to be paid for such Tithes, or Moduses or Compositions in lieu thereof, payable from or out of or in respect of such Buildings or Lands respectively, and shall also inquire into and assess the Compensation to be paid for any Damage done to such Buildings and Lands respectively, or sustained by any Person or Persons in respect thereof, and shall by their Verdict distinguish, determine, and assess the respective Sums of Money, and Shares or Portions thereof, to be paid for such Buildings, Lands, Tithes, Moduses, Compositions, and Damages respectively, and for the respective Estates and Interests therein, or in the said Sums to be paid for the same respectively.

Prices and
Compensa-
tions for
different In-
terests
to be distin-
guished in
Verdicts.

CLV. And be it further enacted, That every such Verdict and Judgment as aforesaid, being first signed by the Clerk of the Court or his Deputy present at the giving and pronouncing of the same respectively, shall be kept by the said Clerk amongst the Records of the Quarter Sessions of the County, Division, Parts, or Isle in which the same shall have been given and pronounced, and shall be deemed to be Records of the said Quarter Sessions to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty, at all seasonable Times, to inspect the same respectively, paying for such Inspection the Sum of One Shilling, and to have Copies thereof respectively, paying for every Copy at the Rate of Sixpence for every One hundred Words thereof.

Verdict and
Judgment to
be recorded.

CLVI. Provided always, and be it further enacted, That the said *North Level* Commissioners or their said Committee, or any of them, shall not be required at any Time to receive or take notice of any Claim or Complaint by any Body, Person, or Party whomsoever, for the Price of any Lands, Buildings, or Tithes intended to be taken or used by the said Commissioners under the Authority of this Act, or of any Interest therein, or for a Compensation for any Damage sustained or alleged to be sustained by any such Body, Person, or Party respectively, in consequence of this Act, or of any thing done by virtue hereof, nor to issue a Precept for summoning a Jury to inquire into the same respectively, unless Notice in Writing, stating the Particulars of such Claim or Complaint, and the Amount of the Price or Compensation claimed in respect thereof, shall have been given by or on behalf of such Body, Person, or Party to the said Commissioners or their said Committee, or to the Clerk of the said Commissioners, within the Space of Two Calendar Months next after the Time at which such Lands, Buildings, or Tithes respectively shall have been taken or used by or on the Part of the said Commissioners, or at which such real or alleged Damage shall have been sustained or

Claims not
to be receiv-
ed unless
Notice
thereof has
been given.

alleged to have been sustained, or at which the Act of committing such Damage shall have ceased.

Where no Notice shall have been given, the Tender of the Commissioners shall be conclusive.

CLVII. Provided also, and be it further enacted, That if any Sum of Money shall have been tendered by or on the Part of the said *North Level* Commissioners to any Body, Person, or Party so seised possessed, entitled, or interested, or capacitated by this Act to contract and agree as aforesaid, as the Price for any Lands, Buildings, or Tithes respectively, or for any Interest therein, or as a Compensation for any Damage which shall have been done thereto, or which shall have been sustained by any such Body, Person, or Party respectively, and such Notice in Writing as is last above mentioned shall not have been given within the Time hereinbefore mentioned, then such Body, Person, or Party respectively shall be finally bound and concluded by such Tender; and the said Commissioners shall pay or apply the Sum of Money which shall have been so tendered by them, or on their Part as aforesaid, in like Manner as if the same had been assessed by a Jury in the Manner hereinbefore directed.

Parties requiring a Jury to enter into a Bond for Payment of Costs.

CLVIII. Provided also, and be it further enacted, That every Body, Person, or Party requiring a Jury to be summoned by the said *North Level* Commissioners as aforesaid, for any of the Purposes hereinbefore mentioned, shall (before a Precept shall be issued for summoning such Jury) cause a Bond to be entered into by Two sufficient and responsible Persons, to the Clerk or Treasurer of the said Commissioners, in a Penalty of Two hundred Pounds each, with a Condition to pay all such Costs and Expences, or proportionate Part of such Costs and Expences, of summoning, returning, and impaneling such Jury, and of taking such Verdict, and obtaining such Judgment as aforesaid, as he, she, or they shall be liable to pay, according to the Provisions of this Act.

Payment of Costs of Inquiry.

CLIX. And be it further enacted, That in every Case wherein a Verdict shall be given for a greater Sum of Money as the Price for any Lands, Buildings, or Tithes, or as a Compensation for any Damage, than shall have been previously offered by or on the Part of the said *North Level* Commissioners, or wherein, by reason of Absence or other Impediment or Disability, there shall not be found any Person who shall be capacitated to contract or agree with the said Commissioners for such Price or Compensation according to the Provisions of this Act, then and in every such Case all the reasonable Costs and Expences of causing such Price or Compensation to be assessed and adjudged as aforesaid shall be settled by the said Justices, and shall be defrayed by the said Commissioners or their Treasurer; and in case such Costs and Expences shall not be paid to the Body, Person, or Party entitled to receive the same within Fourteen Days next after the same shall have been demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels belonging to the said Commissioners, under a Warrant to be issued for that Purpose by any Justice of the Peace for the County, Division, Parts, or Isle in which the same Goods or Chattels shall be, which Warrant any such Justice is hereby authorized and required to issue, on Application made to him for that Purpose by the Body, Person, or Party

Party entitled to receive such Costs and Expences; and in every Case wherein a Verdict shall be given for the same, or for a less Sum of Money than shall have been previously offered by or on the Part of the said Commissioners, One Moiety of the said Costs and Expences shall be paid by the said Commissioners or their Treasurer, and if not paid, shall and may be recovered in the Manner last aforesaid, and the other Moiety thereof shall be paid by the Body, Person, or Party entitled to receive or claiming such Price or Compensation as aforesaid, which said last-mentioned Moiety shall and may be deducted by the said Commissioners out of the Sum or Sums of Money which shall have been so assessed and adjudged to be paid by them for such Price or Compensation as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed to all Intents and Purposes to be a Payment or Tender of the whole Sum which shall have been so assessed and adjudged as aforesaid; and in case no Damages shall be given by such Verdict (where the Dispute is for Damages only) such last-mentioned Moiety of the said Costs and Expences shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty imposed by this Act.

CLX. And be it further enacted, That if any Money which shall have been agreed or assessed to be paid for any Lands, Buildings, or Tithes, or for any Right or Interest therein, purchased, taken, or used by virtue of this Act, for any of the Purposes hereof, which shall belong to any Body, Person, or Party under any legal Incapacity or Disability, as hereinbefore mentioned, shall amount to or exceed the Sum of Two hundred Pounds, then and in every such Case such Money shall, 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, and shall be there placed to his Account *ex parte* the *North Level* Commissioners, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty, 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 Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and in conformity with the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall and may, under the Direction and with the Approbation of the said Court, to be signified by an Order to be made by the same Court upon a Petition to be preferred in a summary Way by or on behalf of any Body, Person, or Party for the Time being interested in such Money, or in the Lands, Buildings, or Tithes in respect whereof the same shall have been agreed or assessed to be paid as aforesaid, be applied in the Purchase of Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the same Lands, Buildings, or Tithes, or affecting any other Lands, Tenements, or Hereditaments settled therewith, or to the same or to the like Uses, or be invested in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled to the same Uses, as the said Lands, Buildings, or Tithes which shall have been so purchased, taken, or used as aforesaid stood settled or limited to, or to such of them as at the Time shall be existing undetermined

Application
of Compen-
sation
Money if
amounting
to 200%.

1 G. 4 c. 35.

determined or capable of taking effect; and in case of any such Purchase of Lands, Tenements, or Hereditaments as last aforesaid, then, in the meantime and until such last-mentioned Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, until the said Annuities shall by any Order of the said Court be sold for any of the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, under the Order of the said Court, to the Person or Persons who would for the Time being be entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so hereby directed to be purchased as last aforesaid, in case the Purchase, Conveyance, and Settlement thereof had been made and completed; and if any such Money which shall have been so agreed or assessed to be paid as last aforesaid shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in every such last-mentioned Case the same, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Buildings, or Tithes so purchased, taken, or used as aforesaid, or of his, her, or their Husband, Trustee, Guardian, or Committee, or other Person or Persons by this Act capacitated to contract or agree as aforesaid, to be signified in Writing, shall be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be there placed to his Account as aforesaid, in order to be applied in the Manner hereinbefore directed, or shall be paid to Two Trustees to be nominated in Writing by the Person or Persons exercising such Option as aforesaid, and to be approved of by the said *North Level* Commissioners, in order that such Money, and the Dividends or annual Proceeds thereof, may be applied in the Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer; and if any such Money which shall have been so agreed or assessed to be paid as last aforesaid shall be less than the Sum of Twenty Pounds, then and in every such last-mentioned Case the same shall be paid or applied to or for the Use of the Person or Persons who would for the Time being have been entitled or presumptively entitled to the Rents and Profits of the Lands, Buildings, or Tithes which shall have been so purchased, taken, or used as aforesaid, or to his, her, or their Husband, Trustee, Guardian, or Committee, for the Use of such Person or Persons respectively.

If less than
200*l.* and
exceeding
20*l.*

If less than
20*l.*

In Cases of
Refusal to
accept, &c.
Money, the
same to be
paid into the
Bank of
England.

CLXI. And be it further enacted, That in case the Body, Person, or Party to whom any such Money shall be so agreed or assessed to be paid as aforesaid shall refuse to accept the same, or shall not be able to make a good Title to the Lands, Buildings, or Tithes, Estate or Interest, for which the same shall be so agreed or assessed to be paid as aforesaid, to the Satisfaction of the said *North Level* Commissioners or their said Committee, or shall refuse to execute a proper Conveyance or Conveyances

Conveyances of such Lands, Buildings, or Tithes, or Estate or Interest therein as aforesaid, or in case the Person or Party to whom such Money shall be agreed or assessed to be paid cannot be found, or if the Person or Persons entitled to any such Lands, Buildings, or Tithes, Estate or Interest, shall not be known or discovered, then and in every such Case it shall be lawful for the said *North Level* Commissioners, or their said Committee, to cause such Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be there placed to his Account *ex parte* the *North Level* Commissioners, and to be invested in the Purchase of any of the said Bank Annuities hereinbefore mentioned, subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Money or any Part thereof, by Motion or on Petition, shall in a summary Way order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Person or Persons making claim thereunto, and make such other Order in the Premises as to the said Court shall seem reasonable.

CLXII. And be it further enacted, That the Cashier of the Bank of *England* to whom any Sum or Sums of Money by this Act directed to be paid into the said Bank shall be paid in pursuance hereof shall and he is hereby required to give a Receipt for the same, mentioning and specifying on what Account and for what Purpose the same is received by him, to such Person or Persons as shall pay any such Money into the said Bank as aforesaid.

Cashier to give Receipts for Monies.

CLXIII. And be it further enacted, That when any Question shall arise touching the Title of any Person or Persons to any Money which shall have been paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Buildings, or Tithes, or of any Estate or Interest in any Lands, Buildings, or Tithes, or to any Bank Annuities which shall have been purchased with any such Money, or to the Dividends of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Buildings, or Tithes at the Time of such purchasing, taking, or using thereof, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons respectively, shall be deemed and taken to be lawfully entitled to such Lands, Buildings, or Tithes, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer, and the Capital and Dividends of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, or that some other Person or Persons was or were lawfully entitled to such Lands, Buildings or Tithes, or to the Estate or Interest therein in respect whereof such Money shall have been paid.

Persons in Possession to be deemed entitled, until the contrary shall be shown.

CLXIV. And be it further enacted, That in every Case wherein, by reason of any Disability or Incapacity of the Body, Person, or Party entitled to any Lands, Buildings, Tithes, Estate, or Interest to be purchased,

Power for Court to order Payment of cer-

tain Ex-
pences of
Purchases.

chased, taken, or used by the said *North Level* Commissioners under the Authority of this Act, the Purchase Money for the same is by this Act required to be paid into the Bank of *England*, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments as aforesaid, it shall be lawful for the said Court of Exchequer to order the Expences of the Settlement and Conveyance of such last-mentioned Lands, Tenements, and Hereditaments, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners, who shall pay the same or so much thereof as the said Court shall order and direct.

Mortgagees
to transfer
their Securi-
ties on Re-
ceipt of
Principal
and Interest.

CLXV. And be it further enacted, That all and every Persons and Person who shall have any Mortgage or Mortgages on any Lands, Buildings, or Tithes which shall be so purchased, taken, or used by the said *North Level* Commissioners for any of the Purposes of this Act as aforesaid, not being in the actual Possession thereof by virtue of such Mortgage or Mortgages, shall, on a Tender to him, her, or them of the Principal Money and the Interest due thereon, together with the Amount of Six Calendar Months Interest in advance, by or on the Part of the said Commissioners, or after Six Calendar Months Notice given to such Person or Persons for the Payment to him, her, or them of the Principal Money and Interest due on such Mortgage or Mortgages respectively, then, on a Tender to him, her, or them of such Principal Money, and the Interest due thereon, by or on the Part of the said Commissioners, assign and transfer such Mortgage or Mortgages, and every other Security held by such Mortgagee or Mortgagees for the said Principal Money and Interest, to the said Commissioners, or to such Person or Persons as they shall appoint.

Commis-
sioners not
liable to pay
to Mort-
gagees more
than the
Value of the
Premises.

CLXVI. Provided always, and be it further enacted, That in case the Principal Sum or Sums of Money secured by any such Mortgage as aforesaid, with the Interest due thereon, shall amount to more than the real Value of the Premises comprised therein or affected thereby, the same to be ascertained, if necessary, by a Jury in the Manner directed by this Act as to other Lands, Buildings, or Tithes, then the said *North Level* Commissioners shall not be liable to pay to the said Mortgagee or Mortgagees more than the real Value of such Premises, to be so ascertained, if necessary, as aforesaid, but on a Tender of such real Value of the said Premises the said Commissioners shall be entitled to have such Mortgage assigned and transferred as aforesaid.

Interest of
Mortgages
to cease on
Tender of
Principal
and Interest.

CLXVII. Provided also, and be it further enacted, That in case any such Mortgagee shall neglect or refuse to assign and transfer his or her said Mortgage or Mortgages, and other Securities as aforesaid, upon Tender to him or her, by or on the Part of the said *North Level* Commissioners, of the Principal Money and Interest due or liable to be paid thereon, according to the Provisions hereinbefore contained, then the Interest of the Principal Money secured by such Mortgage or Mortgages shall from the Time of such Tender cease and determine; and it shall be lawful for the said Commissioners, or for any Person on their Behalf, to pay the Amount of such Principal Money and Interest into the Bank of *England*, for the Use and at the sole Costs and

Charges of the said Mortgagee or Mortgagees ; and the Cashier of the said Bank shall give a Receipt for such Money in like Manner as in the Case of other Payments into the said Bank, according to the Directions hereinbefore contained; and thereupon the said Mortgage or Mortgages, and other Security or Securities held by the said Mortgagee for such Principal Money and Interest or any Part thereof, and all the Estate, Right, Title, and Interest whatsoever of such Mortgagee, and of all Persons holding or claiming under or in Trust for him or her, in or to the same, or in or to the several Premises therein comprised, shall thenceforth wholly vest in and belong to the said Commissioners, and they shall thenceforth be deemed to be in the actual Possession of the said Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

CLXVIII. Provided also, and be it further enacted, That if any such Mortgage shall comprise any Lands, Tenements, or Hereditaments other than the Lands, Buildings, or Tithes which shall be so purchased, taken, or used by the said *North Level* Commissioners as aforesaid, it shall be lawful for the said Commissioners to pay, and for any such Mortgagee to receive, the Sum or Sums of Money which shall have been agreed or assessed as the Price to be paid for such Lands, Buildings, or Tithes so purchased, taken, or used as aforesaid, in part Satisfaction and Discharge of the Principal and Interest due to any such Mortgagee as aforesaid ; and such Mortgagee shall thereupon assign and transfer his, her, or their Interest in such Lands, Buildings, or Tithes last mentioned to the said Commissioners, or as they shall appoint ; and the said Lands, Buildings, or Tithes so purchased, taken, or used as aforesaid, and all the Estate, Right, Title, and Interest of such Mortgagee, and of all Persons holding or claiming under or in Trust for him or her, in or to the same, and of all other Persons whomsoever, shall, from and immediately after such Payment by the said Commissioners to such Mortgagee as aforesaid, wholly vest in and belong to the said Commissioners, and they shall thenceforth be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever ; and such Sum or Sums of Money which shall be so paid by the said Commissioners to any such Mortgagee as last aforesaid shall be deducted from the Amount of the Principal Money and Interest due to such Mortgagee by virtue of his or her said Mortgage or Mortgages as aforesaid.

Power to pay Money to Mortgagees in part of Principal and Interest.

CLXIX. And be it further enacted, That in all Cases wherein the said *North Level* Commissioners shall see Occasion to cut through, take, or use, for any of the Purposes of this Act, any Part or Parts of any Commons or Waste Grounds, or Lands or Tenements, which shall be charged with or subject to any Commonable Right or Interest whatsoever, a Conveyance thereof by the Body or Bodies or Person or Persons having such or the like Estate or Interest in the Manor wherein such Commons, Waste Grounds, Lands, or Tenements shall be situate, or if the same shall not be the Waste of any Manor, then having such or the like Estate and Interest in the Soil of such Commons, Waste Grounds, Lands, or Tenements as any Body or Bodies or Person or Persons are hereinbefore capacitated or enabled to sell and convey of and in any other Lands or Buildings

Owners of Manors or Soil may convey Commons.

to

to be purchased, taken, or used for any of the Purposes of this Act, shall be a good and sufficient Conveyance of such Commons, Waste Grounds, Lands, or Tenements respectively, and the Fee Simple and Inheritance thereof, to or for the Use of the said *North Level* Commissioners, as fully and effectually as if every Person having any Commonable Right or Interest in or upon such Commons, Waste Grounds, Lands, or Tenements were seised thereof in Fee Simple in Possession, and had joined in and executed such Conveyance; and the Price or Compensation to be paid for any such Commonable Right or Interest in or upon any such Commons, Waste Grounds, Lands, or Tenements as aforesaid, which shall be agreed for or assessed in the Manner hereinbefore mentioned, shall be paid by the said Commissioners to the Churchwardens of the respective Parishes wherein such Commons, Waste Grounds, Lands, or Tenements shall respectively lie, and shall be by such Churchwardens paid and applied unto or for the Benefit of the several Persons entitled or presumptively entitled to such respective Commonable Rights or Interests in respect whereof the same shall have been paid, in such Shares, Proportions, and Manner as shall be determined at a Meeting of the said several last-mentioned Persons, to be convened by such Churchwardens for that Purpose by Public Notice in Writing to be affixed by them on the Church Doors of the said respective Parishes, for Three successive *Sundays* next immediately preceding the Day of such Meeting; and in all Cases wherein any such Commonable Right or Interest shall be and extend over and be enjoyed and taken out of any other Lands or Tenements than such Commons or Waste Grounds, such Price or Compensation shall be paid or tendered to the Body or Bodies or Person or Persons having such Estate or Interest in such Commonable Right or Interest as aforesaid, or in the Lands or Tenements whereunto the same shall be appendant or appurtenant, or shall be paid into the Bank of *England* in the Manner by this Act directed in respect to other Monies to be paid into the said Bank: Provided that in all Cases where any Manor or Soil is vested in the Freeholders or Inhabitants at large, or in any greater Number of Persons than Three, or where it is not known in what Manor such Commons or Waste Grounds are respectively situate, a Conveyance, executed by Three at least of the Freeholders or Inhabitants whose Estates have Common Right in such Commons or Waste Grounds respectively, and whose said Estates amount in yearly Value, as assessed to the Poor Rates of the Parish wherein the same shall be situate, to Three Fifth Parts at least of the Value of the whole of the Estates which have such Common Right, shall be a good and sufficient Conveyance to or for the Use of the said *North Level* Commissioners, or as they shall appoint.

Power for Commissioners to take Possession on Payment or Tender of Purchase Monies.

CLXX. And be it further enacted, That upon Payment or Tender, by or on the Part of the said *North Level* Commissioners, of such respective Sums of Money as shall have been contracted or agreed for between the Parties, or assessed and determined by a Jury, for the Purchase of any Lands, Buildings, or Tithes, or as a Compensation for any Damage, as hereinbefore mentioned, to the Proprietor or Proprietors of such Lands, Buildings, or Tithes, and Premises respectively, or to such other Person or Persons as by virtue of any of the Provisions

Provisions of this Act shall be entitled to receive the same, or upon Payment or Investment by the said Commissioners of such Sum or Sums of Money into the Bank of *England*, within One Calendar Month next after the same shall have been so contracted or agreed for, or assessed and determined as aforesaid, it shall be lawful for the said Commissioners, and for their said Committee, and their Officers, Agents, Servants, and Workmen, immediately to enter upon such Lands, Buildings, or Tithes, and Premises respectively, and thereupon the same Lands, Buildings, or Tithes, and Premises, and the Fee Simple and Inheritance thereof, together with the yearly and other Rents and Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said *North Level* Commissioners, for the several Purposes of this Act, for ever; and such Tender, Payment, or Investment shall not only bar all Right, Title, Claim, Interest, and Demand of every Person entitled to or interested in such Sum or Sums of Money or any Part thereof, but also shall extend to and shall be deemed and construed to bar, as well the Estate, Right, Title, and Interest of every such Person respectively, as also the Dower of the Wife of every such Person, and all Estates Tail, Estates in Remainder and Reversion, and all other Estates, Uses, Trusts, Rights, Titles, and Interests whatsoever, both legal and equitable, in Possession, Reversion, Remainder, and Expectancy, or otherwise, of all and every Persons and Person whomsoever, of and in the said Lands Buildings, Tithes, and Premises respectively, and every or any Part thereof: Provided nevertheless, that before such Payment, Tender or Investment as aforesaid, it shall not be lawful for the said Commissioners or their said Committee, or for any Person acting under their Authority, to take or use any such Lands, Buildings, or Tithes as aforesaid, without the Consent of the respective Persons entitled or by this Act capacitated to contract or agree with the said Commissioners for the Price or Compensation to be paid or made for the same respectively as aforesaid.

CLXXI. And be it further enacted, That if in the Execution of any of the Powers granted by this Act, or for any of the Purposes hereof, any Portion or Portions not exceeding Three Acres of any Lands shall be cut off from the Remainder thereof, and if the Owner or Owners for the Time being of such Lands shall desire that the said *North Level* Commissioners shall purchase such Portion or Portions thereof which shall be so cut off as aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and required, to contract with the Owner or Owners of such Lands for the Purchase of such Portion or Portions thereof as aforesaid, or, if they cannot agree, then the Price thereof shall be assessed by a Jury in the Manner hereinbefore directed in the Case of any other Land purchased, taken, or used for any of the Purposes of this Act; and it shall be lawful for the said Commissioners to sell, dispose of, and convey all or any Part or Parts of any Lands or Buildings purchased, taken, or used by them, or otherwise vested in them, by or under the Authority of this Act, or any Buildings erected by them, which may become unnecessary for the Purposes of this Act, in such Manner as they are by this Act authorized to sell, dispose of, and convey such

Commissioners to purchase Lands cut off, and to sell unnecessary Lands and Buildings.

Part of the Bed, Banks, and Forelands of the *Old South Eau* as shall not be required to be retained by them for any of the Purposes of this Act.

Provision for
Deficiencies
of Land
Tax.

CLXXII. And whereas by reason of the Provisions in this Act contained Deficiencies might be occasioned in the Assessments for Land Tax in the several Parishes or Places in which any of the Works hereby authorized to be made may be situated; be it therefore further enacted, That for preventing the same the said *North Level* Commissioners shall, after they shall become possessed for the Purposes of this Act of any Houses or Buildings charged with Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Commissioners shall think fit to redeem the same under the Powers of the several Acts of Parliament for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good, to or in aid of any such Parish or Place, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the Assessment for Land Tax within such Parish or Place, by reason or means of taking down or using for the Purposes of this Act any Houses or Buildings liable to such Assessment, according to the Rental at which the same were valued or rated at the Time of the passing of this Act; and the Treasurer of the said Commissioners shall be and he is hereby authorized and required to pay such deficient Assessment, on Demand thereof, to the Collector of the Land Tax for such Parish or Place.

Provision
for Paro-
chial and
Drainage
Assessments.

CLXXIII. And for preventing any Deficiency in any of the Parochial or Drainage Assessments or Sewers Rates in the several Parishes, Districts, and Places through which the said *North Level Main Drain* may be made or pass; be it further enacted, That the said *North Level* Commissioners, after they shall become possessed, for the Purpose of making the said Main Drain, and the Banks and Forelands thereof, and the Soak and Fence Ditches thereto, of any Lands which immediately before the passing of this Act were assessed or charged in or to any Parochial or Drainage Assessments or Sewers Rate in or for any Parish, District, or Place, shall be subject and liable from Time to Time to be assessed and charged in and to the several Parochial and Drainage Assessments and Sewers Rates to be hereafter made or laid in or for such Parish, District, or Place respectively, for and in respect of so much and such Part or Parts of the said Lands respectively as shall be taken or used by them the said Commissioners for making the said Main Drain, Banks, Forelands, and Soak and Fence Ditches respectively, at such and the same Rate and Rates by the Acre as the several Lands in the same Parish, District, or Place adjoining to and lying on each or either Side of the said Main Drain, Banks, Forelands, and Soak and Fence Ditches, shall from Time to Time be assessed and charged at, but shall not at any Time be subject or liable to be charged or assessed in or to any such Assessment or Rate as aforesaid to any greater Extent than as aforesaid, for or in respect of the said Main Drain or any Part thereof, or for or in respect of the said Banks, Forelands, and Soak and Fence Ditches, or any of them, or any Part thereof respectively,

tively, or for or in respect of any of the Works of Drainage or Navigation to be made or executed under the Authority of this Act, or for or in respect of any Taxes, Assessments, Tolls, Rents, Revenues, or Funds to be raised or received by them in such respective Parishes, Districts, and Places, under the Authority of this Act, nor shall they at any Time be subject or liable to be assessed or charged in or to any such Assessment or Rate as aforesaid, for or in respect of the said several Lands, Drains, Works, and other Matters and Premises aforesaid, or any of them, to any greater Extent in the whole than such several Lands of which the said Commissioners shall so become possessed as aforesaid were respectively charged or assessed at in such respective Parishes, Districts, and Places previous to the passing of this Act; and that the Amount of such several Assessments and Charges with which the said Commissioners shall be so from Time to Time assessed and charged as aforesaid shall and may be levied and recovered by the several Parties entitled to assess and charge the same respectively upon and from the said several Lands which shall be respectively assessed and charged therewith as aforesaid, in the same Manner as the like Assessments and Charges respectively shall and may from Time to Time be levied and recovered upon and from any other Lands respectively liable to the Payment thereof: Provided nevertheless, that in case any Lands or Tenements within the said several last-mentioned Parishes, Districts, and Places respectively, which under or by virtue of any of the Provisions of this Act are or shall be vested in the said *North Level* Commissioners for any Purpose or Purposes whatsoever, whether the same shall be or remain the Property of the said last-mentioned Commissioners, or shall be sold or disposed of by them or shall otherwise become the Property of any other Person or Persons whomsoever, and which, or the respective Owners or Occupiers whereof, before the passing of this Act were not assessed or charged in or to such Parochial or Drainage Assessments or Sewers Rates respectively as aforesaid, or any Buildings or Erections on such Lands or Tenements respectively, shall at any Time or Times hereafter be or become assessed or charged, or liable to be assessed or charged, to any of such Parochial or Drainage Assessments or Sewers Rates respectively, then the Amount of every such Assessment or Charge to which the said several last-mentioned Lands, Tenements, Buildings, or Erections respectively, or the respective Owners or Occupiers thereof, shall become liable, shall be deducted and allowed to the said *North Level* Commissioners from and out of such several Assessments and Charges to which the said Commissioners shall become liable in and for such Parishes, Districts, or Places respectively under or by virtue of this Act.

CLXXIV. And be it further enacted, That if any Person or Persons shall wilfully or maliciously destroy, cut, break, or damage any Mill, Engine, Sluice, Tunnel, Slacker, Bank, Dam, or other Work which shall have been erected, made, or executed by or under the Authority of the said *North Level* Commissioners, or of their said Committee, or which shall be under the Care, Management, or Disposal of the said Commissioners, or their said Committee, in whomsoever the same shall be vested, or shall wilfully or maliciously do any Act whereby any such Mill,

Persons wilfully destroying the Works guilty of Felony.

Mill, Engine, Sluice, Tunnel, Slacker, Bank, Dam, or other Work shall be destroyed, broken, or damaged, such Person or Persons, being convicted of any such Offence, shall be adjudged guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Person or Persons shall be so convicted shall have full Power and Authority to transport such Person or Persons for any Term not exceeding Fourteen Years, or to imprison such Person or Persons, in like Manner as any other Felon is by the Laws and Statutes of this Realm directed or liable to be transported or imprisoned.

Persons wantonly damaging Works to be subject to a Penalty.

CLXXV. And be it further enacted, That if any Person or Persons shall wantonly or carelessly damage or injure any Mill, Engine, Sluice, Tunnel, Slacker, Bank, Dam, or other Work which shall have been erected, made, or executed by or under the Authority of the said *North Level* Commissioners or of their said Committee, or which shall be under the Care, Management, or Disposal of the said Commissioners or their said Committee, in whomsoever the same shall be vested, such Person or Persons so offending, being convicted of any such last-mentioned Offence, shall forfeit and pay to the said Commissioners, as a Penalty, such Sum not exceeding the Sum of Fifty Pounds as the Justice or Justices before whom such Person or Persons shall be convicted shall adjudge, and shall also pay to the said Commissioners the Amount of the Damage done, which the same Justice or Justices shall and may assess, if the Amount of such Damage claimed by or on the Part of the said Commissioners shall not exceed the Sum of Twenty Pounds, but if the Amount of such Damage claimed shall exceed the Sum of Twenty Pounds, then the Person or Persons so offending shall and may be proceeded against at Law for the same by or on behalf of the said Commissioners, notwithstanding any Conviction, and the Adjudication and Payment of any Penalty for such Offence as aforesaid.

Masters to be responsible for Damages done by their Men.

CLXXVI. And be it further enacted, That the Owner, and all and every and any One or more of the Owners, of any Lighter, Boat, Vessel, or Craft navigating in or through the said intended *North Level Sea Sluice*, or in or through any other Sluice of or belonging to the said *North Level* Commissioners, or in, upon, through, or along the said intended *North Level Main Drain* or any Part thereof, or any other Drain or Watercourse to be made or maintained by or under the Authority of the said Commissioners, and he, she, and they is and are hereby made answerable for all Trespass, Damage, Spoil, or Mischief that shall be done by such Lighter, Boat, Vessel, or Craft, or by any Boatman, Waterman, or other Person having the Care of or belonging to or employed in or about the same, by any Means whatsoever, to the said respective Sluices, Drains, and Watercourses, or any of them, or to any other Sluice, Drain, Watercourse, Engine, Tunnel, Dam, Bank, Foreland, or other Work, made, maintained, or used by or under the Authority of the said Commissioners, or being under the Controul, Direction, or Management of the said Commissioners or their said Committee, in whomsoever the same shall be vested; and the Owner, and all and every or any One or more of the Owners, of such Lighter, Boat, Vessel, or Craft, shall for every such

such Trespass, Damage, Spoil, or Mischief, upon Conviction of the Boatman or Waterman or other Person committing the same, before any Justice or Justices of the Peace, who is and are hereby authorized and required to inquire into the same on the Oath of any credible Witness or Witnesses (which Oath such Justice or Justices is or are hereby authorized to administer), or on the Confession of the Party or Parties offending, pay to the said Commissioners or their Treasurer such Damages, Satisfaction, and Compensation as shall be ascertained, fixed, and determined by such Justice or Justices; provided, that the Amount of such Damages, Satisfaction, or Compensation, which shall be claimed by or on the Part of the said Commissioners, shall not exceed the Sum of Twenty Pounds; but in case such Amount shall exceed the Sum of Twenty 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* or elsewhere, at the Discretion of the said Commissioners.

CLXXVII. Provided always, and be it further enacted, That every such Boatman, Waterman, and other Person so offending as last aforesaid, shall be answerable for and shall repay all such Damages, Satisfaction, and Compensation as shall have been so ascertained, fixed, and determined as aforesaid, with all the Costs of levying and recovering the same, to the Master or Masters or Owner or Owners who shall have paid the same; and in case of Nonpayment thereof on Demand, and upon Oath by such Master or Masters or Owner or Owners, of the Payment made by him, her, or them of such Damages, Satisfaction, Compensation, and Costs, and that the same have or hath been demanded of such Boatman or Waterman or other Person respectively, but that the same have or hath not been repaid by him (such Oath to be made before any Justice or Justices of the Peace, who is and are hereby authorized and required to enquire into the Matter), the Amount thereof shall be recovered by and paid to such Master or Masters or Owner or Owners, from such Boatman, Waterman, or other Person as aforesaid, in the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered.

Damages paid by Masters to be repaid by their Men.

CLXXVIII. And be it further enacted, That if any Horse, Mare, Ass, Ox, Cow, Sheep, Swine, or other Beast or Animal of any Kind whatsoever, shall at any Time be found wandering, straying, or lying upon any Sluice, Bank, Foreland, or other Work which shall have been made or executed by or under the Direction of the said *North Level* Commissioners, or shall be under the Care, Management, or Disposal of them or of their said Committee, in whomsoever the same shall be vested, or passing over any such Sluice, Bank, Foreland, or other Work, for the Purpose of being watered in the said intended *North Level Main Drain*, or any other Drain or Watercourse of or belonging to the said Commissioners, or under the Care, Management, or Disposal of them or of their said Committee, or for the Purpose of a Road or Passage across any of the said Works otherwise than as is authorized by this Act, without the Consent of the said Commissioners, or for any other Purpose whereby the said Works or any of

Penalty for Cattle straying on any of the Works.

them may be injured, it shall be lawful for the Surveyor or any other Officer for the Time being of the said Commissioners, and also for any other Person acting under the Authority of the said Commissioners, to seize every such Horse, Mare, Ass, Ox, Cow, Sheep, Swine, or other Beast or Animal, and to impound the same in the Common Pound of the Parish, Township, or Place where the same shall be seized, or if there shall be no Common Pound in such Parish, Township, or Place, then in the Common Pound of any adjoining Parish, Township, or Place, and the same there to detain until the Owner or Owners thereof shall, for each Horse, Mare, Ass, Ox, Cow, Swine, or other Beast or Animal so impounded, forfeit and pay to the said Commissioners, as a Penalty, a Sum not exceeding Twenty Shillings, together with the reasonable Charges of seizing, impounding, and keeping the same; and in case the said Penalty and Charges shall not be paid within Three Days next after such impounding, it shall be lawful for the said Surveyor, Officer, or other Person impounding the same to sell or cause to be sold every or any such Horse, Mare, Ass, Ox, Cow, Sheep, Swine, or other Beast or Animal; and the Overplus of the Money arising from such Sale, after deducting the said Penalty and Charges of impounding, keeping, and selling as aforesaid, shall be paid to the Person or Persons who shall appear to be entitled thereto.

Penalty for driving Cattle to Water in any of the Drains.

CLXXIX. And be it further enacted, That if any Person or Persons shall take, lead, or drive any Horse, Mare, Ass, Ox, Cow, Sheep, or other Beast or Animal, to wash, water, or drink in or out of the said *North Level Main Drain* or any Part thereof, or any other of the Drains or Watercourses of or belonging to the said *North Level Commissioners*, or under the Care, Management, or Disposal of the said *North Level Commissioners*, without their Authority and Consent, every Person so offending shall forfeit and pay, as a Penalty, a Sum not exceeding Twenty Shillings for or in respect of every such Horse, Mare, Ass, Ox, Cow, Sheep, or other Beast or Animal so taken, led, or driven to wash, water, or drink as aforesaid, as often as the same shall happen.

Owners and Tenants of Banks and Forelands not to be prevented from feeding or watering Sheep.

CLXXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons, being the Owner or Owners of the Soil or Herbage of any of the Banks or Forelands of the said several Drains and Watercourses, or any of them, or the Tenant or Tenants of any such Owner or Owners, from feeding or depasturing Sheep only in or upon any of the said Banks or Forelands the Soil or Herbage whereof shall be the Property of such Person or Persons respectively, or from permitting Sheep to water or drink in or out of the said Drains and Watercourses adjoining such last-mentioned Banks and Forelands respectively, so long as such Person or Persons shall be and continue the Owner or Owners of the Soil or Herbage of the same Banks and Forelands respectively.

Penalty on obstructing the Execu-

CLXXXI. And be it further enacted, That if any Person shall at any Time obstruct, hinder, or molest any Officer, Assistant, or other Person whomsoever in the Performance or Execution of his Office or Duty

Duty under the Authority of this Act, or in the Execution of this Act, or of any of the Works by this Act authorized to be done or executed, every such Offender shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, in the Discretion of the Justice or Justices before whom such Offender shall be convicted; or otherwise such Justice or Justices may commit such Offender to the House of Correction for any Time not exceeding One Calendar Month.

tion of this Act.

CLXXXII. And be it further enacted, That every Complaint or Information of or for any Offence against any of the Provisions of this Act, or against any Rule, Order, or Bye Law to be made by the said *North Level* Commissioners under the Authority of this Act, or for the Recovery of any Penalty, Fine, or Forfeiture imposed or made payable by this Act (except in Cases wherein the Manner of hearing and determining such Offence, or recovering such Penalty, Fine, or Forfeiture, is herein otherwise directed,) shall and may be made before One or more Justice or Justices of the Peace for the Jurisdiction wherein the Offence shall have been committed or shall be alleged to have been committed; and such Justice or Justices is and are hereby authorized and empowered to take cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or to issue his or their Warrant or Warrants for the Apprehension of such Person or Persons or any of them, and upon the appearing or not appearing of such Person or Persons pursuant to such Summons or Warrant, or upon such Person or Persons being apprehended upon such Warrant, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, or by the Confession of the Offender or Offenders, and to make such Determination thereon as such Justice or Justices shall think just and equitable; and upon the Conviction of any Person or Persons of any such Offence, such Justice or Justices shall and may issue a Warrant, under his or their Hand and Seal or Hands and Seals, for levying the Penalty, Fine, or Forfeiture, by this Act, or by any Rule, Order, or Bye Law made in pursuance thereof, imposed or made payable, and by the said Justice or Justices adjudged to be paid for such Offence, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall be convicted of such Offence; and in case it shall appear to such Justice or Justices, either by the Confession of the Offender or otherwise, that any such Offender hath not sufficient Goods or Chattels whereupon such Penalty, Fine, or Forfeiture, with the reasonable Costs and Charges of levying the same, may be levied, within the Jurisdiction of such Justice or Justices, no Sale shall take place of the Goods and Chattels (if any there shall be) of such Offender within such Jurisdiction, but it shall be lawful for such Justice or Justices to commit such Offender to the Common Gaol or House of Correction within the Jurisdiction of such Justice or Justices, for any Term not exceeding Six Calendar Months; and it shall be lawful for any such Justice or Justices, at his or their Discretion, to order any Offender who shall have been so convicted as aforesaid to be kept and detained in safe Custody until Return shall be made to the Warrant of Distress which shall have been issued by such Justice or Justices,

Mode of proceeding against Offenders, and recovering Penalties.

Justices, unless such Offender shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Eight Days from the Time of taking such Security, which Security such Justice or Justices is and are hereby empowered to take by Way of Recognizance or otherwise, as to him or them shall seem right; or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of any such Offender or otherwise, that he or she hath not sufficient Goods or Chattels within the Jurisdiction of such Justice or Justices, whereon to levy such Penalty, Fine, or Forfeiture, with reasonable Costs and Charges, such Justice or Justices may, at his or their Discretion, without issuing any Warrant of Distress, commit such Offender to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months: Provided nevertheless, that if it shall appear to any such Justice or Justices, in his or their Judgment and Discretion, that the Payment or Recovery of any such Penalty, Fine, or Forfeiture will be attended with Consequences ruinous or in an especial Manner injurious to any such Offender, or to his or her Family, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized, in such Case, if he or they shall think fit, and if such Offender shall signify his Consent thereto in Writing, but not otherwise, to cause to be withheld the Issue of any Warrant of Distress against such Offender, and to commit such Offender immediately after his or her Conviction, in default of the Payment by him, her, or them of such Penalty, Fine, or Forfeiture, with the Costs and Charges incurred as aforesaid, to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months; provided also, that if any such Offender who shall be so committed as aforesaid shall at any Time during the Time of his or her Imprisonment pay or cause to be paid to the Governor or Keeper of the Gaol or House of Correction in which he or she shall be imprisoned the full Amount of such Penalty, Fine, or Forfeiture adjudged to be paid by him or her as aforesaid, together with the Costs and Charges incurred, it shall be lawful for such Governor or Keeper, and he is hereby required, forthwith to discharge such Offender from his Custody; and the Overplus (if any) of the Monies which shall arise from any such Distress and Sale to be made as aforesaid, after Payment of the Penalty, Fine, or Forfeiture for which such Distress and Sale shall have been made, and after Payment of all Charges attending such Distress and Sale, shall be paid, and the Goods and Chattels which shall have been distrained and shall not have been sold shall be restored, upon Demand, to the Owner or Owners or reputed or apparent Owner or Owners of the Goods and Chattels which shall have been so distrained as aforesaid.

Power for
Justices to
proceed by
Summons
without In-
formation in
Writing.

CLXXXIII. Provided always, and be it further enacted, That in all Cases in which any Offence is or shall be, by virtue or under any of the Provisions of this Act, cognizable before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace to whom Complaint shall be made of any such Offence to summon the Party complained against before him or them, and

on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence, or on the Confession of the Offender or Offenders, to convict such Offender or Offenders, and to adjudge him, her, or them to pay the Fine, Penalty, or Forfeiture imposed or made payable by this Act, with the Costs and Charges incurred, and to proceed to recover the same in the Manner hereinbefore directed and authorized; although no Information in Writing shall have been exhibited or taken before or by such Justice or Justices; and all the Proceedings of such Justice or Justices upon such Complaint, without Information in Writing as aforesaid, shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been previously exhibited and taken.

CLXXXIV. And be it further enacted, That in all Cases wherein by this Act any Damages or Charges are directed or authorized to be paid or recovered, and wherein the Mode of proceeding for or recovering the same is not by this Act otherwise directed, the Amount of such Damages or Charges (in case of Dispute respecting the same) shall be settled, ascertained, and determined by any Justice or Justices of the Peace acting in and for the Jurisdiction wherein such Damages or Charges shall have been sustained or incurred, who is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or otherwise to proceed touching such Offender or Offenders in the same Manner as is hereinbefore directed in regard to any Fine, Penalty, or Forfeiture by this Act imposed or made payable.

Power for
Justices to
settle and
levy Da-
mages and
Charges.

CLXXXV. And be it further enacted, That when and as often as any Sum or Sums of Money shall have been directed or ordered to be paid by the said *North Level* Commissioners, to any Person or Persons, as or by Way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Commissioners or by any Person or Persons acting by or under their Authority, or for any Costs or Expences relating thereto, not hereinbefore otherwise provided for and directed, and such Sum or Sums of Money shall not have been paid by the said Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, (whether the same shall be in the Possession of the said Commissioners or any of them, or of their Treasurer or Treasurers, or Clerk or Clerks, for the Time being, or in the Possession of any other Person or Persons,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the Isle, County, Division, or Jurisdiction wherein any of the said Commissioners, or their Treasurer or Treasurers, or Clerk or Clerks, or other Person or Persons, shall be or reside; which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money

Recovery of
Compensa-
tion and
Costs from
the Commis-
sioners.

as or by Way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences 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; and it shall be lawful for such Treasurer or Treasurers to retain, out of any Monies which he or they may have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he or they shall have sustained or been put unto by virtue of any Warrant as aforesaid.

Power to
secure
transient
Offenders.

CLXXXVI. And be it further enacted, That it shall be lawful for the respective Surveyors and other Officers of the said *North Level* Commissioners, or any of them, to seize and detain any Person or Persons, unknown to them respectively, who shall be guilty of any Offence against any of the Provisions of this Act, and to convey such Person or Persons before any One or more Justice or Justices of the Peace for the Jurisdiction where such Offence shall have been committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby respectively empowered and directed to proceed immediately to the hearing of the Matter in question, and to the Conviction or Acquittal of such Person or Persons.

Offences in
certain
Cases to be
cognizable
before Jus-
tices of the
Isle of Ely
or the
County of
Lincoln.

CLXXXVII. And whereas the said *North Level Main Drain*, and other Drains, Banks, and Works to be made and executed by or under the Authority of the said *North Level* Commissioners, will extend into and lie or be situate within as well the *Isle of Ely* as also the County of *Lincoln*, and will in several Places cross the Boundaries of the said Isle and County respectively, and it may be difficult in many Places to ascertain and distinguish the Division and Boundary Lines of the said Isle and County; be it therefore further enacted, That in all Cases wherein any Offence shall have been committed against any of the Provisions of this Act, and it shall be doubtful within what Jurisdiction the same shall have been committed, then such Offence may be deemed to have been committed within the said *Isle of Ely* or within the said County of *Lincoln*, and shall and lawfully may be cognizable before any Justice or Justices of the Peace for the said *Isle of Ely*, or for the Division or Parts of *Holland* within the said County of *Lincoln*; and any such Justice or Justices respectively shall have such and the like Powers and Authorities as if such Offence had been actually committed within the Jurisdiction for which such Justice or Justices shall have been appointed or shall act; and it shall be sufficient, in any Information, Summons, Warrant, or other Proceeding touching any such Offence, to state such Offence to have been so committed within the Jurisdiction of such Justice or Justices respectively.

Power for
Commis-

CLXXXVIII. And be it further enacted, That it shall be lawful for any One or more of the said *North Level* Commissioners, being
a Justice

a Justice or Justices of the Peace, to act as a Justice or Justices of the Peace in any Matter arising out of or under any of the Provisions of this Act, unless he or they respectively shall be personally interested therein. sioners to act as Justices.

CLXXXIX. And be it further enacted, That all and every Justices and Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against any of the Provisions of this Act shall and may cause the Conviction to be drawn up and made in the following Form of Words, or in any other Form of Words to the same or the like Effect; and every such Conviction shall be good and valid in Form and in Law to all Intents and Purposes whatsoever; (that is to say,) Form of Conviction.

‘ to wit, } BE it remembered, That on the Day of
 ‘ in the Year of our Lord
 ‘ at in the of before
 ‘ the Justice whose Name hereunto subscribed, acting in
 ‘ and for the aforesaid, of in the
 ‘ duly convicted of the following Offence
 ‘ against an Act passed in the Eleventh Year of the Reign of
 ‘ His Majesty King *George* the Fourth, intituled [*here set forth the*
 ‘ *Title of this Act,*] that is to say, that the said did
 ‘ on the Day of in the Year aforesaid, at the Parish of
 ‘ in the aforesaid, [*here the Nature of the*
 ‘ *Offence is to be stated,*] contrary to the Form and Provisions of the
 ‘ said Act; and do therefore hereby declare and adjudge that
 ‘ the said forfeited for the said
 ‘ Offence the Sum of to be paid and applied in
 ‘ the Manner directed by the said Act; [*or as the Case may be*];
 ‘ and do therefore hereby declare and adjudge that the said
 ‘ shall for the said Offence be committed
 ‘ to the at in the said
 ‘ for the Space of Given under Hand and
 ‘ Seal on the Day and Year first above written.”

CXC. And be it further enacted, That in any Action, Suit, Information, Indictment, or Prosecution which shall be commenced, prosecuted, or carried on by or against the said *North Level* Commissioners or their said Committee, or any of them, or by or against any Person or Persons acting under the Authority of them or any them, or otherwise relating to the Execution of this Act or of any of the Powers or Authorities hereby granted, no Person shall be an incompetent Witness by reason of his or her being One of the said *North Level* Commissioners, or a Committee-man, Officer, Agent, or Servant of the said Commissioners, or an Owner or Occupier of or otherwise interested in any of the Lands, Tenements, or Hereditaments assessed, taxed, or charged, or liable to be assessed, taxed, or charged, under any of the Provisions of this Act, or otherwise affected hereby, save and except in any Case wherein any such Person shall be immediately and personally interested in the Matter in question. Commis- sioners and their Officers, and Owners and Occupiers of Lands, not to be incom- petent Wit- nesses.

CXCI. And be it further enacted, That if any Person who shall have been summoned by any Justice or Justices of the Peace to attend Penalty on Witnesses for Default.

attend and give Evidence before such Justice or Justices touching any alleged Offence against any of the Provisions of this Act shall refuse or neglect to appear at the Time and Place for that Purpose appointed by such Summons (a reasonable Sum having been paid or tendered to him or her for his or her Expences therein), without a sufficient Excuse for his or her Refusal or Neglect (the Sufficiency of such Excuse to be determined by such Justice or Justices), or if he or she shall appear and shall refuse to be examined or shall not answer upon Oath or (being a Quaker) on solemn Affirmation, and give such Evidence as he or she shall be able to give before such Justice or Justices touching such alleged Offence, then and in any such Case every such Person so refusing or neglecting shall forfeit and pay any Sum not exceeding Ten Pounds.

Justices may allow Part of Fines to Informers or Witnesses.

CXCII. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace before whom any Information or Complaint shall be made of any Offence against any of the Provisions of this Act, in case the Person or Persons who shall be complained of shall confess himself, herself, or themselves guilty, or shall be otherwise convicted of the same, to order and direct, after such Confession or Conviction shall have been made, such Part or Proportion of the Penalty, Fine, or Forfeiture which such Person or Persons shall have incurred or become liable to pay, as the said Justice or Justices shall think reasonable and proper, to be paid to the Informer or Informers, or Witness or Witnesses, respecting the same or any of them; and the Information, Complaint, or Evidence which shall have been made, taken, or given by such Informer or Informers, or Witness or Witnesses respectively, shall not be thereby destroyed, invalidated, impeached, or affected in any Manner howsoever.

Power for Justices to award Costs.

CXCIII. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace before whom any Information or Complaint shall be made of any Offence against any of the Provisions of this Act to award and order such Costs and Charges as he or they shall think reasonable to be paid by and to any Person or Persons by or against whom such Information or Complaint shall be made, over and above any Penalty, Forfeiture, Fine, or Sum of Money which any such Person or Persons shall have incurred or become liable to pay, and to cause such Costs and Charges, in case of the Nonpayment thereof, to be levied and recovered in the same Manner as any such Penalty, Forfeiture, Fine, or Sum of Money is by this Act directed to be levied and recovered.

Distresses not to be unlawful for Want of Form.

CXCIV. And be it further enacted, That in all Cases in which any Distress shall be made for any Penalty, Fine, Forfeiture, or Sum of Money to be levied under the Authority of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Information, Complaint, Summons, Conviction, Warrant, or other Proceeding previous or relating to such Distress; nor shall such Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which

which shall be afterwards committed by such Party or Parties distraining, or by any Person or Persons acting in or about such Distress; but the Person or Persons who shall be aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage which he, she, or they shall have sustained thereby, in an Action upon the Case against the Party or Parties by or through whose Means such Damage shall have been occasioned or have arisen.

CXCV. And be it further enacted, That no Conviction or other Proceeding which shall be had or taken in pursuance of this Act shall be quashed or vacated for Want or Defect of Form therein, nor be removed or removable, by Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Records at *Westminster* or elsewhere. Proceedings not to be quashed for Want of Form or removed.

CXCVI. And be it further enacted, That all Penalties, Fines, Forfeitures, Damages, Costs, and Charges by this Act respectively imposed or made payable, the Payment, Application, or Disposal whereof is not by this Act otherwise directed or provided for, shall be paid to the Treasurer or Treasurers of the said *North Level* Commissioners on the Account and for the Use of the said Commissioners, and shall be applied and disposed of by such Treasurer or Treasurers, under the Direction of the said Commissioners, to and for such and the same several Purposes as the several Taxes, Tolls, and other Monies by this Act assessed, taxed, charged, or authorized to be demanded and received, are by the several Provisions of this Act directed or authorized to be applied unto, or any of them. Application of Penalties.

CXCVII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Judgment, Determination, Order, Act, or Proceeding of the said *North Level* Commissioners, or of any Justice or Justices of the Peace, made, given, ordered, or directed in pursuance of the said recited Act passed in the Twenty-seventh Year of the Reign of the said late King *George* the Second, or of this Act, (except in Cases in which express Provision for any other Remedy is made by the said Acts or either of them,) such Person or Persons shall and may, within Four Calendar Months next after such Judgment, Determination, Order, Act, or Proceeding shall have been made, given, ordered, or directed, appeal to the Justices of the Peace assembled at the First or Second Quarter Sessions of the Peace which shall be held in and for the County, Division, Isle, Parts, or Jurisdiction in which the Cause of such Appeal shall have arisen, or at any Adjournment thereof, the Person or Persons appealing having first given at least Fourteen Days clear previous Notice of such Appeal, and of the Nature and Matter thereof, to the said *North Level* Commissioners or their Clerk, or to the said Justice or Justices of the Peace, respectively appealed against, and having forthwith after such Notice entered into Recognizance before One or more Justice or Justices of the Peace for such County, Division, Isle, Parts, or Jurisdiction, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order and Award of the Court of the said Quarter Sessions thereupon; and the said Justices to whom such Appeal Appeal.

[*Local.*] 17 A Appeal

Appeal shall be made shall, upon due Proof of such Notice and Recognizance having been given and entered into as aforesaid, hear and determine such Appeal, and the Subject Matter thereof, at such Quarter Sessions of the Peace to be holden for such County, Division, Isle, Parts, or Jurisdiction, or at some Adjournment thereof, or, if they shall think proper, shall adjourn the Hearing thereof until the then next Quarter Sessions of the Peace to be held in and for the same County, Division, Isle, Parts, or Jurisdiction; and the said Justices may make such Determination in such Appeal, and award such Costs from and to the respective Parties therein, as they shall judge proper, and, if they see Cause, may on such Hearing mitigate any Fine, Forfeiture, or Penalty which shall have been incurred, and may order any Money to be returned which shall have been levied or received in pursuance of any such Judgment, Determination, Order, Act, or Proceeding so appealed against as aforesaid, and shall and may also award such further Satisfaction or Compensation to be made to the Party injured, by the Party appealed against, as they the said Justices shall adjudge reasonable and proper; and all such Determinations of the said Justices, at their said respective Quarter Sessions of the Peace, or Adjournments thereof, shall be final, binding, and conclusive upon all Parties interested therein, to all Intents and Purposes whatsoever.

Persons forswearing themselves to be guilty of Perjury.

CXCVIII. And be it further enacted, That all Persons who in any Examination or Proceeding to be had or taken by virtue of this Act shall wilfully and corruptly give false Evidence or otherwise forswear themselves before any Jury, or before any Justice or Justices of the Peace acting in the Execution of this Act, or before any of the said *North Level* Commissioners (in any Case in which the said Commissioners are hereby authorized to administer an Oath), shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are or shall be by virtue of any Law or Statute at the Time existing subject or liable to.

The Commissioners to sue and be sued in the Name of a Commissioner, or their Treasurer or Clerk.

CXCIX. And be it further enacted, That the said *North Level* Commissioners may and shall, in all Cases arising out of or under any of the Provisions of this Act, sue and be sued in the Name of any One of the said Commissioners, or in the Name of their Treasurer or Clerk; and no Action, Suit, Information, or Indictment, which shall be brought, commenced, filed, preferred, or prosecuted by or against the said Commissioners, or any of them respectively, by virtue or on account of this Act or any of the Provisions hereof, in the Name of any Commissioner, or of their Treasurer or Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of any such Commissioner, Treasurer, or Clerk or by the Act of any such Commissioner, Treasurer, or Clerk without the Consent of the said Commissioners; but the said Commissioner, or the Treasurer or Clerk for the Time being to the said Commissioners, shall always be and be deemed to be the Plaintiff, Prosecutor, or Defendant, as the Case may be, in any such Action, Suit, Information, or Indictment; provided nevertheless, that every such Commissioner, Treasurer, or Clerk, in whose Name any Action, Suit, Information, or Indictment

ment shall be commenced, preferred, prosecuted, or defended in pursuance or on account of this Act, or any of the Provisions hereof, shall be always reimbursed and paid, out of the Monies and Funds to arise by virtue of this Act, all such Damages, Losses, Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being made Plaintiff, Prosecutor, or Defendant as aforesaid.

CC. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices, or any Writ or Writs, Summons or Summonses, or other legal Process or Processes, upon the said *North Level* Commissioners or any of them, the Service thereof upon the Commissioner or Commissioners to or against whom any such Notice, Writ, Summons, or other Process shall be directed, or at his or their last or usual Place or respective Places of Abode, or upon any Clerk of the said Commissioners for the Time being, or at the Office of any such Clerk, or at his usual or last Place of Abode, or at the Office of the said Commissioners, shall be and be deemed to be good and sufficient Service of the same respectively on the said Commissioners, and every or any of them to or against whom such Notice, Writ, Summons, or other Process shall be directed.

Service of Notice on the Clerk of the Commissioners to be good.

CCI. And be it further enacted, That if any Action, Suit, Information, Indictment, or Proceeding shall be brought, commenced, filed, or preferred by any Body or Bodies or Person or Persons against the said *North Level* Commissioners, or against any of their Treasurers, Clerks, Surveyors, Collectors, or other Officers, or against any other Person or Persons employed by or acting under their Authority, for or on account of any Act, Matter, or Thing done by them or any of them in pursuance of this Act, or in the Execution of any of the Powers or Authorities hereby given or granted to them or any of them, every such Action, Suit, Information, Indictment, or Proceeding shall be brought, commenced, filed, or preferred within Six Calendar Months next after the Act which shall be the Subject Matter of it shall have been done, or in case there shall be a Continuance of Damage arising from any such Act, then within Six Calendar Months next after the doing of such Act, or the continuing of such Damage shall have ceased, and not afterwards, and shall be laid or brought in the County, Isle, or Jurisdiction wherein such Act shall have been done, or such Damage shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action, Suit, Information, Indictment, or Proceeding shall and may plead thereto the General Issue, and upon the Trial thereof shall and may give in Evidence this Act and the special Matter in question, and that such Act was done or such Damage was occasioned or arose in pursuance or by the Authority of this Act, or in the due Execution of any of the Provisions hereof; and if such Act shall appear to have been so done, or such Damage shall appear to have been occasioned or to have arisen in pursuance or by the Authority or in the due Execution of any of the Provisions of this Act, or if any such Action, Suit, Information, Indictment, or Proceeding shall be brought, commenced, filed, or preferred after the Time hereinbefore limited for bringing,

Limitation of Proceedings against the Commissioners.

bringing, commencing, filing, or preferring the same, or shall be brought in any other Jurisdiction than as aforesaid, then and in every such Case the Jury shall give a Verdict for the Defendant or Defendants therein; and in every such Case also, or in case the Plaintiff or Plaintiffs, Informant or Informants, or Prosecutor or Prosecutors, in any such Action, Suit, Information, Indictment, or Proceeding, shall become nonsuit, or shall suffer a Discontinuance of such Action, Suit, Information, Indictment, or Proceeding after the Defendant or Defendants therein shall have appeared thereto, or if a Verdict shall be given therein against such Plaintiff or Plaintiffs, Informant or Informants, or Prosecutor or Prosecutors, or if upon Demurrer or otherwise Judgment shall be given against the said Plaintiff or Plaintiffs, Informant or Informants, or Prosecutor or Prosecutors, then and in every such Case such Defendant or Defendants shall have and recover his, her, or their Costs against such Plaintiff or Plaintiffs, Informant or Informants, or Prosecutor or Prosecutors, and shall have such Remedies for the Recovery of the same as any Party or Parties hath or have in any Case or Proceeding at Law in which he, she, or they is or are entitled to Costs.

Saving of
Rights of
Bedford
Level Cor-
poration.

CCII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, lessen, alter, or affect in anywise howsoever any of the Jurisdictions, Powers, Rights, or Privileges belonging to or vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators, or the Governor, Bailiffs, and Conservators, of the Great Level of the Fens called *Bedford Level*, as Commissioners of Sewers as well within as without the said Great Level, under or by virtue of any Law, Decree, Statute, or Usage whatsoever, heretofore made, passed, or used, but the same Jurisdictions, Powers, Rights, and Privileges so belonging to or vested in them respectively as such Commissioners of Sewers as aforesaid, immediately before the passing of this Act, shall remain, continue, and be to all Intents and Purposes as full, ample, and beneficial as if this Act or any thing herein contained had not been made or passed; nor shall any thing in this Act contained extend or be construed to extend to divest or deprive the said Governor, Bailiffs, and Commonalty or the said Governor, Bailiffs, and Conservators respectively, of any other Jurisdiction, Power, Right, or Privilege now belonging to or vested in them respectively, in, over, or through the said Five several Districts of the said *North Level* and *Great Portsand*, or any of the Banks, Drains, Sewers, or Works therein, except so far as the same are respectively vested in or placed under the Controul or Direction of the said *North Level* Commissioners by virtue of the said recited Act passed in the Twenty-seventh Year of the Reign of the said late King *George* the Second, and this Act, or either of them, or so far as the said Governor, Bailiffs, and Commonalty, and the said Governor, Bailiffs, and Conservators respectively, are by the said last-mentioned Acts or either of them expressed or intended to be divested or deprived of the same Jurisdictions, Powers, Rights, or Privileges respectively, and except so far as regards the several Powers and Authorities given and granted to the said *North Level* Commissioners by the said last-mentioned Acts or either of them,

which

which are to be exercised nevertheless with due Regard to such reserved Jurisdictions, Powers, Rights, and Privileges respectively.

CCIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to make the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, subject or liable to any Charge, Loss, or Damage whatsoever which may arise or be occasioned by the Execution of any of the Works by this Act authorized or required to be done by the said *North Level* Commissioners, or by any Failure or Defect of or in the said Works or any of them.

Saving of
Bedford Le-
vel Corpo-
ration from
Charge of
Works.

CCIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, take away, or prejudicially affect any of the Rights, Powers, Privileges, or Authorities vested in the Commissioners of the *Nene Outfall*, under or by virtue of the said recited Acts respectively passed in the Seventh and Eighth Years and the Tenth Year of the Reign of His Majesty King *George* the Fourth, or either of them; but all such Rights, Powers, Privileges, and Authorities shall remain and continue in and to the said *Nene Outfall* Commissioners, as fully and amply, to all Intents and Purposes whatsoever, as if this Act had not been passed; and the said last-mentioned Commissioners shall not, by virtue of this Act, or of any thing herein contained, be subject to any Liabilities whatsoever, other than those to which they were subject previous to the passing of this Act.

Saving of
Rights of the
Nene Out-
fall Commis-
sioners;

CCV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, Privileges, or Authorities vested in the Company of Proprietors of the *Cross Keys Bridge*, under or by virtue of an Act of Parliament passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for constructing a Bridge across Sutton Wash, otherwise called Cross Keys Wash, between the Counties of Lincoln and Norfolk*, or any of the Rights, Powers, Privileges, or Authorities vested in the said Company under or by virtue of the said recited Act passed in the Seventh and Eighth Years of the Reign of His Majesty King *George* the Fourth, but all such Rights, Powers, Privileges, and Authorities shall remain, continue, and be in the said Company, as fully and amply, to all Intents and Purposes whatsoever, as if this Act had not been passed, and the said Company shall not, under or by virtue of any of the Powers and Authorities in this Act contained, be subject to any Liabilities whatsoever other than those to which the said Company were subject at or previous to the Time of passing this Act.

of the
Cross Keys
Bridge Com-
pany;

CCVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, alter, lessen, or prejudicially affect the respective Ownerships, Properties, Rights, or Interests of the Most Noble *John Duke of Bedford* and *Thomas Orby Hunter* Esquire, respectively, or of their respective Heirs or Assigns, to, in, or over any of the Lands or Grounds lying

and of the
Duke of
Bedford and
Thomas
Orby
Hunter,
Esquire.

[Local.]

17 B

within

within the Third and Fifth of the said Five several Districts of the said *North Level* and *Great Portsand* respectively, or to, in, or over any of the Banks, Drains, or Works lying within the same Third and Fifth Districts respectively, except so far as the said respective Ownerships, Properties, Rights, and Interests are by this Act expressly taken away, altered, lessened, or affected, and except so far as regards the several Powers and Authorities given and granted by this Act, which are to be exercised nevertheless with due Regard to such Ownerships, Properties, Rights, and Interests respectively.

Saving of
other exist-
ing Rights.

CCVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, alter, lessen, or affect in anywise howsoever any of the Jurisdictions, Powers, Rights, Privileges, or Revenues given, granted, appertaining, or belonging to the Burgesses of the Town of *Wisbech*, or their Capital Burgesses, or to the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or any other Commissioners of Sewers, or to any Commissioners or Trustees acting under any Act of Parliament for the Drainage of the Fens, or any of them, or of any District or Lands in the Isle of *Ely*, or in the Counties of *Northampton*, *Cambridge*, and *Lincoln*, or any of them, or to the Lord or Lords or Lady or Ladies of any Manor or Manors into or through which any of the Works by this Act authorized to be made or executed shall pass or extend, except so far as the same are by this Act severally and respectively expressed to be taken away, defeated, invalidated, altered, lessened, or affected, and in so far as regards the several Powers and Authorities given and granted by this Act, which are to be exercised nevertheless with due Regard to such reserved Jurisdictions, Powers, Rights, Privileges, and Revenues respectively.

Expences of
this Act to
be first paid.

CCVIII. And be it further enacted, That the Costs and Charges of obtaining and passing this Act, and of the several Surveys, Estimates, Reports, and Plans preparatory thereto and consequential thereon, and all other Costs, Charges, and Expences whatsoever preparatory or incidental to or concerning this Act, with all lawful Interest for all such Monies as shall have been paid or expended by any Person or Persons whomsoever on account thereof, shall be paid and discharged by the said *North Level* Commissioners, by and out of the first Monies that shall come into their Hands, or into the Hands of their Treasurer or Treasurers, after the passing of this Act, by virtue hereof.

Public Act.

CCIX. And be it further enacted, That this Act shall be and shall be deemed and taken to be a Public Act in all Courts and Places and for all Purposes whatsoever, and shall be judicially taken notice of by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE to which this Act refers;

Specifying the several Dwelling Houses, Buildings, Yards, Gardens, Orchards, planted Walks, and Avenues which the said North Level Commissioners are by this Act authorized and empowered to purchase and take for the Purposes of this Act.

Owners or reputed Owners.	Occupiers.	Parishes or Places.	Descriptions of Property.
<i>For the North Level Main Drain.</i>			
His Grace the Duke of Bedford -	William Pear	{ Leverington Par- son Drove }	Dwelling House, Stable, and Garden.
Same -	Same -	Same -	Barn and Outbuildings
Charles Metcalfe the younger, and Charles Oldham, Trustees of the late William Johnson, deceased -	William Ward Scrimshaw and Edward Scrimshaw the younger -	{ Same -	{ Farmhouse, Outbuildings, Yards, and Garden.
William Wright -	Himself -	Leverington -	Cottage and Garden
William Riley -	Himself -	Same -	Cottage and Garden.
John Wilson -	Himself -	Same -	Cottage and Garden.
The Heirs of Walter Swaine, deceased }	Stephen Bradley	Same -	{ Farmhouse, Outbuildings, Yards, and Gardens.
The Commissioners of the Tid and Newton Drainage }	Christopher Skinner	Same -	Yard, Garden, and Mill.
Matthew Musson -	Himself -	Newton -	{ Cottage, Barn, Stable, Hovel, and Garden.
William Edward's Trustees -	Charles Oldham and William Holmes }	{ Leverington -	{ Cottage, Outbuildings, and Garden.
Edmund Clarke -	Himself -	Tid Saint Giles's	Garden.
John Lambert -	Himself -	Same -	{ House, Barn, Outbuildings, and Garden.
The Churchwardens and Overseers of the Poor of the Parish of Tid Saint Giles's -	Widow Dow and John Martin }	Same -	Cottage and Garde
Same -	William Redhead	Same -	Cottage and Garden.
Same -	— Boor -	Same -	Garden.
Same -	Samuel Tomkin	Same -	Garden.
Same -	George Barber	Same -	Garden.
Same -	William Bonnett	Same -	Garden.
Same -	Thomas Hackett	Same -	Garden.
Same -	Samuel Perkins	Same -	Garden.
Robert Woodward	Robert Hill -	Same -	Two Hovels.
Same -	Himself -	Same -	Garden.
Same -	Same -	Same -	Garden.
Same -	Same -	Same -	{ House, Outbuildings, and Garden.
John Johnson -	John Milns -	Same -	{ Farmhouse, Stable, Hovel, and Garden.
Richard Kilham	Himself -	Same -	{ Farmhouse, Outbuildings, Yards, and Garden.
Same -	Same -	Same -	Orchard and Gardens.
Edward Garton -	Himself -	Same -	{ Farmhouse, Outbuildings, Yards, and Garden.
William Bonnett	Himself -	Same -	Garden.
John Deans -	Himself -	Same -	Garden.
Raison Cook -	Himself -	Same -	Cottage and Garden.

Owners or reputed Owners.	Occupiers.	Parishes or Places.	Descriptions of Property.
John Dalton -	John Marshall	Tid Saint Giles's and	{ Gardens, Yards, Stables, Out-
Samuel Long, Esquire	William Snushall	Tid Saint Mary's	{ buildings, and Orchard.
Reverend — Hand	Robert Woodward	Tid Saint Mary's	Barn, Outbuildings, and Yard.
Ovel Moulton -	Himself - - -	Tid Saint Giles's	Barn, Hovels, and Yards.
William Jecks -	Himself - - -	Same - - -	Cottage and Garden.
Robert Bliss -	Himself - - -	Same - - -	Cottage and Garden.
<i>For the other Drains and Works.</i>			
Abraham Ulyat -	James Clemenson	Leverington Parson	{ Farmhouse, Outbuildings,
Same - - -	Same - - -	Drove - - -	{ Yards, and Gardens.
Same - - -	Same - - -	Same - - -	{ Barns, Granaries, Stables, and
John Taylor -	James Hopkin	Same - - -	{ Plantations.
His Grace the Duke	Sampson Siggee	Sutton Common	{ Cottage, Garden, and Water
of Bedford - }		Thorney - - -	{ Engine.
Same - - -	James Watson -	Same - - -	Barn and other Buildings.
Same - - -	John Bailey - -	Same - - -	{ Cottage, Barn, Outbuildings,
Same - - -	John Linney -	Same - - -	{ Garden, and Plantation.
Same - - -	William Hodgson	Same - - -	Cottage, Garden, and Plantation.
Same - - -	John Scotney	Same - - -	Cottage, Barn, and Garden.
Same - - -	{ Robert Martin }	Same - - -	{ Farmhouse, Outbuilding,
Devises of John	{ Layton - }	Same - - -	{ Yards, and Garden.
Girdlestone, Clerk,			{ The Bell Inn, and Outbuild-
and of John Bailey,			{ ings, Yards, and Garden.
Esquire - - - }			{ Farmhouse, Outbuildings,
John Castle, Esquire,	Thomas Sawford	Sutton Saint Ed-	{ Yards, and Gardens.
and Wife - - - }		mund's - - - }	Barn.
Trustees of Wisbech	John Castle -	Thorney - - -	{ Dwelling House, Offices, and
and Thorney Turn-	John Bays -	Same - - -	{ Garden.
pike - - - }			{ Toll House, Garden, Yard,
Ann Snushall -	Herself or William	Wisbech High Fen	{ and Offices.
The Trustees of John	Kemp - - - }	Same - - -	{ Public House, Outbuildings,
Stennett, deceased }	Jesse Marshall	Thorney - - -	{ Offices, and Garden.
The Duke of Bedford	Himself - - -	Thorney - - -	{ Farmhouse, Outbuildings,
William Bellars -	Himself - - - }	Sutton Saint Ed-	{ Offices and Garden.
Thomas Smith's Ex-	Edward Scrimshaw	mund's - - - }	Storehouse.
ecutors - - - }		Wisbech Fen - -	Farmhouse, Offices, Yard, and
Sarah Andrews, Widow	Thomas Baxter	{ Wisbech Saint }	{ Garden.
The Churchwardens		{ Mary's - - - }	Cottage and Garden.
and Overseers of	John Hill and Ed-	Leverington Par-	
the Poor of Le-	ward Stevenson }	son Drove - - }	Two Cottages and Gardens.
verington Parson		Same - - -	Cottage and Garden.
Drove - - - }			
William Lief - -	Himself - - -	Same - - -	