



CHAPTER lxxvii.

An Act to confirm a Provisional Order under the Land Drainage Act, 1861, relating to Fenstanton Improvements, situate in the parish of Fenstanton, in the county of Huntingdon. A.D. 1882.  
[3rd July 1882.]

**W**HEREAS the Inclosure Commissioners for England and Wales have, in pursuance of the Land Drainage Act, 1861, duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any validity whatever until such Order shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: 24 & 25 Vict.  
c. 133.

Be it therefore enacted by the Queen'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, as follows:

1. The Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament of the like force and effect as if the provisions of the same had been enacted in the body of this Act. Provisional  
Order in  
Schedule  
confirmed.

2. This Act may be cited for all purposes as the Land Drainage Supplemental Act, 1882. Short title.

A.D. 1882.

SCHEDULE to which this Act refers.

IN the matter of Fenstanton Improvements, situate in the parish of Fenstanton,  
in the county of Huntingdon.

We, the Inclosure Commissioners for England and Wales, in pursuance of the power given to us by the Land Drainage Act, 1861, do by this Provisional Order under our seal constitute the lands which are delineated on a map authenticated under our hands and seal as the map referred to in this Provisional Order, and intituled the Fenstanton Separate Drainage District Map, and a copy of which is deposited in the Inclosure Office, a separate drainage district under the said Act.

And we do further by this our Provisional Order make the following regulations with respect to the Drainage Board :

That the Drainage Board for the said district shall consist of five members.

That the following persons shall be the members of the first Drainage Board : Thomas Coote, of Oatlands, in the county of Huntingdon, esquire ; the Reverend Henry Goddard Mottram, of Fenstanton, in the said county, clerk ; Haylock Watson, of Fenstanton, aforesaid, esquire ; F. R. Earl, of Fenstanton, aforesaid, farmer ; and Thomas Inskip, of Dorset Terrace, Cambridge, farmer.

That the first meeting of the said Board shall be summoned by notice under the hands of any two or more of the said Board, published in some newspaper generally circulated in the district, and posted on the church doors of the above-mentioned parishes at least fourteen days before the day of meeting.

That the qualification of any subsequent member of the said Board shall be that he shall be the proprietor of not less than five acres of land within the area of the said district ; or, secondly, the occupying tenant, yearly or otherwise, of not less than ten acres within the area of the said district ; or, thirdly, the agent of a proprietor of an estate of not less than five acres of land within the area of the said district, such agent acting under a written appointment.

That the members of the first Board shall vacate their offices on the first Thursday in September in the year following that in which this Provisional Order shall be confirmed by Parliament.

That the electors for members of the Drainage Board shall be the persons who have during the year immediately preceding such election been rated to any drainage rate of the district hereby constituted, and have paid all such rates due from them at the time of such election.

In witness whereof, we have hereunto set our official seal this seventeenth day of April, one thousand eight hundred and eighty-two.

L.S.



### CHAPTER lxxviii.

An Act to extend the Artillery Ranges Act, 1862.

A.D. 1882.

[3rd July 1882.]

**W**HEREAS the Artillery Ranges Act, 1862, after reciting that certain lands specified in the schedule to that Act, and shown on the map or plan deposited with the Lords Commissioners of the Admiralty, had been appropriated for the establishment of a school of gunnery and the practice of artillery, provides that when Her Majesty's Principal Secretary of State for the War Department has marked out on the above-mentioned lands any spaces or distances as ranges for artillery practice, such spaces and distances shall be freed from all rights of anchorage or grounding thereon; subject to the proviso in section four of the said Act that no part of the lands lying east and north of the line marked A., B., and C. on the said map or plan shall ever be appropriated for any range under that Act:

25 & 26 Vict.  
c. 36.

And whereas it is necessary for the public service and for duly carrying on the said school of gunnery and practice of artillery to extend the ranges for artillery to the lands described in the schedule to this Act, and shown on a plan signed by the said Secretary of State, in this Act referred to as the Secretary of State, and deposited with the Board of Trade, which lands have in fact been used from time to time for the purposes aforesaid:

And whereas an action was brought against the Secretary of State in respect of the use of the last-mentioned lands for the purposes aforesaid by Mr. John Emerson, and also an English information known as the information "Attorney-General versus Emerson" was filed in the High Court of Justice by the Attorney-General on behalf of Her Majesty in reference to the claims of the said John Emerson and others to the said lands, and is still pending, and save as regards the said claims to be determined upon such information, the said lands are claimed to be vested in Her Majesty

A.D. 1882. in right of her Crown, and are under the management partly of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues and partly of the Board of Trade :

And whereas the said action by the said John Emerson against the Secretary of State was stayed upon terms signed by the counsel for the parties, which (so far as material) are as follows : " If it  
 " shall be determined, in the information of Attorney-General  
 " versus Emerson, that the defendant is entitled to the locus in quo  
 " or any part thereof, the amount to be paid to the defendant  
 " (Emerson) for land taken, if not agreed to be found by arbitra-  
 " tion in accordance with the provisions of the Defence Act, and  
 " on such sum so agreed or found interest at the rate of five per-  
 " cent. from April nineteenth one thousand eight hundred and  
 " eighty-one also to be paid to him : "

And whereas it is expedient for the public service that the Secretary of State should have immediate possession of the said lands, and that the Artillery Ranges Act, 1862, should be extended to such lands, and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues and the Board of Trade consent thereto, and it is expedient to provide for saving or compensating such rights of the said John Emerson and other persons as hereinafter mentioned :

Be it therefore enacted by the Queen'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, as follows :

Short title. 1. This Act may be cited as the Artillery Ranges Act, 1882, and this Act and the Artillery Ranges Act, 1862, may be cited together as the Artillery Ranges Acts, 1862 and 1882.

Extension of 25 & 26 Vict. c. 36. to new lands. 2.—(1.) Upon the passing of this Act the Secretary of State, acting on behalf of Her Majesty, for the public service, may take and keep possession of the lands described in the schedule to this Act, and may notify such taking of possession in manner required by section two of the Artillery Ranges Act, 1862, with respect to the appropriation of spaces as ranges for artillery practice, and upon such notification the Artillery Ranges Act, 1862, shall extend to the lands described in the schedule to this Act in like manner as if they were described in the schedule to that Act, and as if the parishes referred to in section two and the manors mentioned in section four of the Artillery Ranges Act, 1862, included respectively the parishes and manors, if any, in which the lands described in the schedule to this Act are situate.

(2.) Provided that nothing in section four of the Artillery Ranges Act, 1862, relating to the line marked A., B., and C. on the map or plan in the said Act mentioned shall apply to the lands described in the schedule to this Act. A.D. 1882.

(3.) Nothing in this Act shall affect the terms above recited upon which the above-mentioned action by John Emerson against the Secretary of State was stayed.

(4.) If any person other than the said John Emerson or than any person claiming by, through, or under him since the nineteenth day of April one thousand eight hundred and eighty-one has any estate or interest in any of the said lands, or if the said John Emerson or any person claiming by, through, or under him since the nineteenth day of April one thousand eight hundred and eighty-one have any estate or interest in any of the said lands which shall not be determined in the information aforesaid or for which the compensation shall not be provided in the terms above recited, the provisions of the Lands Clauses Consolidation Act, 1845, with respect to interests in lands which have by mistake been omitted to be purchased, and the enactments amending the same, shall apply to such estate and interest. 8 & 9 Vict.  
c. 18.

(5.) Any right of Her Majesty, her heirs and successors, in or to any part of the said lands may be conveyed or leased to the said Secretary of State in such manner as may be agreed upon between him and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues and the Board of Trade respectively.

3. The said John Emerson and the other defendants in the information in this Act mentioned shall have the like power of ruling on the information to trial as if the proceeding had been an action between subject and subject. John Emerson to have power of ruling.

A.D. 1882.

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SCHEDULE.

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*Description of Lands.*

All the land and fore-shore situate between high and low water mark in or adjoining the county of Essex, which is part of certain lands called the Maplin Sands and Foulness Sands, and abuts on the lands described in the schedule to the Artillery Ranges Act, 1862, and is delineated on the plan signed by one of Her Majesty's Principal Secretaries of State and deposited with the Board of Trade, and is thereon coloured purple.

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LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1882.