



ANNO TRICESIMO NONO & QUADRAGESIMO

# GEORGI III. REGIS.

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## Cap. 40.

An Act for amending and making more effectual an Act, passed in the Twelfth Year of the Reign of His present Majesty, for embanking, draining, and preserving certain Fen Lands and Low Grounds, in the Parish of *Ramsay*, in the County of *Huntingdon*; and in the Parishes of *Doddington*, *March*, *Benwick*, *Wimblington*, and *Chatteris*, within the *Isle of Ely*, in the County of *Cambridge*; and for amending the Road from a certain Bridge, in the Parish of *Chatteris* aforesaid, called *Carter's Bridge*, by a Drain called *Vermuyden's*, or *The Forty Feet Drain*, to a Bridge called *The Forty Feet Bridge*, in the said Parish of *Ramsay*; so far as the said Act relates to embanking the Lands therein described, called by the Name of *The Upper District or Division*.

[30th May 1800.]

WHEREAS an Act was passed in the Twelfth Year of the Preamble. Reign of His present Majesty, intituled, *An Act for em- 12 Geo. III, banking, draining, and preserving certain Fen Lands and recited.* Low Grounds in the Parish of *Ramsay*, in the County of *Huntingdon*, and in the Parishes of *Doddington*, *March*, *Benwick*, *Wimblington*, and [Loc. & Per.] 9 U. Chatteris,

Chatteris, within the Isle of Ely in the County of Cambridge; and for amending the Road from a certain Bridge in the Parish of Chatteris aforesaid, called Carter's Bridge, by a Drain called Vermuyden's or The Forty Feet Drain, to a Bridge called The Forty Feet Bridge, in the said Parish of Ramsey; and the said Lands and Grounds are divided into and made Two separate Districts or Divisions, with respect to the maintaining and keeping in Repair the several Outward Banks therein particularly described, and are therein called by the Names of *The Upper District or Division*, and *The Lower District or Division*; and separate Commissioners are appointed for embanking the said Upper District or Division, with Power to the said Commissioners to assess, rate, tax, and charge, all and every the respective Owner and Owners, Occupier and Occupiers of all and singular the Lands and Grounds, being Private Property, within that District, except such as in the said Act are excepted, by equal and proportionable Rates, Taxes, or Sums of Money, not exceeding in any One Year, except in the First Year after the passing of the said Act, One Shilling per Acre, for the Purposes of supporting, maintaining, and keeping in Repair, the Banks of the said Upper District: And whereas the said Commissioners have caused the Banks of the said Upper District or Division to be repaired and supported, from Time to Time, at a very considerable Expence, from which the Proprietors of the said Lands and Grounds have for many Years received great Benefit; but the Sum authorized to be raised by the said Act hath been found inadequate to defray the Expence of supporting such Banks; and the Commissioners have borrowed a considerable Sum of Money on the Credit of the said Rates and Taxes, which still remains due: And whereas the Banks of the said Upper District are fallen greatly into Decay, and it will be very advantageous to the Owners and Occupiers of the Lands and Grounds within the said District, to have the same put into good and sufficient Repair; and it is necessary that some Alterations or Amendments should be made in the said Act: 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, from and after the passing of this Act, the several Persons now acting as Commissioners under the Authority of the said Act of the Twelfth Year of the Reign of His present Majesty, and who have been elected or may be elected Commissioners by virtue of the same Act, for repairing and supporting the Banks of the said Upper District or Division, shall be Commissioners for putting this Act in Execution; and the said Commissioners shall have the same Power and Authority to execute this Act, as they would have had in case they had been expressly named and appointed Commissioners in and by this Act.

Commissioners of the former Act to execute this.

Empowering the Commissioners to lay an additional Tax on the Lands.

II. And be it further enacted, That it shall be lawful for the said Commissioners of the said Upper District or Division, at their several Half-yearly Meetings to be held in pursuance of the said recited Act, and they are hereby authorized and required, from Time to Time, to rate and assess all and every the respective Owner and Owners, Occupier and Occupiers, of all and singular the Lands and Grounds, being private Property, situate within the said Upper District or Division (except as in the said recited Act is excepted) by and with equal and proportionable

Yearly

Yearly Rates, Taxes, or Sums of Money, at the Discretion of the said Commissioners, or the major Part of them present at any such Meeting; so that the said Rates or Taxes do not exceed in any One Year the Sum of Four Shillings for every Acre of the Lands and Grounds comprized within the said Upper District or Division (except as before excepted) over and above the said Sum of One Shilling per Acre, authorized by the said recited Act to be assessed on such Owner and Owners, Occupier and Occupiers as aforefaid; which said Rates, Taxes, and Sums of Money, so to be assessed, rated, and taxed as aforefaid by virtue of this Act, shall be paid at the several Days and Times, and in like Manner, as the said Rate or Tax of One Shilling an Acre is by the said recited Act directed to be paid.

III. Provided always nevertheless, and be it further enacted, That the Rate or Tax hereby directed to be raised or levied, shall not, during the Time any Principal or Interest Money shall be due and owing on the several Securities made or granted under the said recited Act, be less in any One Year than the Sum of Two Shillings an Acre, over and above the Sum of One Shilling an Acre by the said recited Act authorized to be raised or assessed.

The new Tax not to be less than a certain Sum, while any Money is due on Securities granted by the former Act.

IV. And be it further enacted and declared, That the several Powers, Penalties, Authorities, and Provisions contained in the said recited Act, for the Purposes of laying or making, collecting and recovering Payment of the said Rate or Tax of One Shilling per Acre, upon or from the Owners or Occupiers of the said Lands and Grounds called *The Upper District or Division*, shall extend to, and be put in Execution, for laying or making, collecting and recovering Payment of the Rates or Taxes to be laid or assessed by virtue of this Act, in like Manner as if such Powers, Penalties, Authorities, and Provisions were repeated and re-enacted in the Body of this Act.

Extending the Provisions of the former Act to this.

V. And be it further enacted, That the Monies arising from the respective Rates or Assessments made or to be made by virtue of the said former Act and this Act, shall be applied and disposed of by the said Commissioners, in the First Place in defraying the Charges and Expences of obtaining this Act, and in the next Place, for and towards the supporting, repairing, heightening, strengthening, amending, and maintaining the Banks, of, within, or belonging to the said Upper District or Division, in like Manner as the Rates and Taxes to be raised by virtue of the said recited Act within the said District or Division are directed to be applied; and that the Residue of the Money to be raised by the said respective Rates or Assessments, shall be applied in Discharge of the several Sums of Money borrowed on the Credit of the Rates or Taxes imposed on the said Upper District under or by virtue of the said recited Act, and such other Debts as have been incurred by the said Commissioners, and now remain unpaid.

Application of the Money.

VI. And it is hereby further enacted, That if any Person or Persons shall advance and pay any Sum or Sums of Money, in Discharge of the Fees or other Expences of obtaining this Act, the Money so paid and advanced shall be repaid and satisfied by the said Commissioners of the said Upper District or Division, with lawful Interest for the same, from the Time the same shall have been so advanced, out of the First Monies which shall be raised or collected by virtue of this and the said former Act.

Persons advancing Money to be repaid with Interest.

Enabling  
Proprietors  
to borrow  
Money.

VII. And be it further enacted, That it shall be lawful for any Tenant or Tenants for Life or Lives, Guardians, Husbands, Trustees, Committees or Attornies of any Infants, Lunaticks, Idiots, Femes Covert, Persons beyond the Seas, or otherwise incapable of acting for themselves, or for any Number of Years determinable upon Life or Lives, or other Contingencies, or for Trustees of any Charities, or for any other Purpose whatsoever, by Writing under their Hands and Seals, from Time to Time to charge their severall and respective Lands and Grounds taxable by virtue of this Act, with their due Proportion of the Expences incident to or attending the obtaining of this present Act, and paying off and discharging the severall Sums of Money borrowed on the Credit of the Rates or Taxes imposed on the said District under or by virtue of the said recited Act, and now remaining unpaid; so as the Sum or Sums to be so charged thereon doth or do not exceed the Sum of Fifty Shillings *per* Acre of their Lands and Grounds; and for securing the Payment of the said Sum or Sums of Money, with Interest, to grant, mortgage, lease, or demise, the said Lands and Grounds to such Person or Persons as shall advance any such Sum or Sums respectively, for any Term or Number of Years; so as such Grant, Mortgage, Lease, or Demise, be made with a Proviso or Condition to surrender the same when such Sum or Sums of Money, with the Interest thereof, shall be fully paid and satisfied; and every such Grant, Mortgage, Lease, and Demise, shall be good, valid, and effectual in the Law, for the Purposes thereby intended.

For keeping  
down the  
Interest.

VIII. Provided nevertheless, and be it enacted, That every such Tenant or Tenants for Life or Lives, or in Tail, and all and every other Person or Persons, who shall so mortgage or charge his, her, or their respective Lands or Grounds, shall pay and keep down the Interest of the Principal Money so to be borrowed; and that no Person or Persons in Reversion or Remainder of the Premises to be so charged or mortgaged, shall be liable unto or charged with the Payment of more than One Year's Interest for any such Principal Money, preceding the Time of the Death of such Tenant or Tenants for Life or Lives, or other Person or Persons respectively.

For getting  
Materials  
out of Com-  
mons.

IX. And be it further enacted, That it shall be lawful for the said Commissioners of the said Upper District, to dig, take, and carry away any Earth or other Materials, in any Common Lands and Waste Grounds within any Parish or Place in which any Part of the said District is situated, Drove ways and Roads only excepted, without making Payment for the same, for the Purpose of embanking and preserving such District.

Declaring the  
Act publick.

X. And be it further enacted and declared, That this Act shall be deemed a Publick Act; and all Judges, Justices, and other Persons are hereby required to take Notice thereof as such, without specially pleading the same.