



ANNO QUADRAGESIMO QUARTO

# GEORGII III. REGIS.

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## *Cap. 15.*

An Act for draining and improving certain Fen Lands and Low Grounds, within the Parishes of *Ramsay* and *Bury*, in the County of *Huntingdon*.  
[3d May 1804.]

**W**HEREAS there are within the Parishes of *Ramsay* and *Bury* in the County of *Huntingdon*, divers Fen Lands and Low Grounds, herein-after more particularly described, containing together upwards of One thousand Acres; which, from their low and flat Situation, are liable to be flooded and much annoyed by Waters, so that no certain Advantage or Profit can be derived by the Owners and Occupiers thereof: And whereas it would be highly advantageous and beneficial to all Persons interested therein if the said Fen Lands and Low Grounds were properly drained and improved; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and immediately after the passing of this Act, the Lord or Lords, Lady or Ladies for the Time being, of the Manors of *Ramsay* and *Bury*, or in their Absence the respective Stewards of the said Manors, and also the several Rectors and Vicars of the said Parishes of *Ramsay* and *Bury* for the Time being; and every Person who for the Time being shall be *bonâ fide*  
[Loc. & Per.] X

Appointment  
of Commis-  
sioners.

*sic* Owner of Twenty Acres of Land liable to be taxed by virtue of this Act; and also every Owner or Proprietor of Eight Acres of the Lands called *Bury Lots* or *Crofts*, shall be and they are hereby appointed Commissioners for putting in Execution this Act, for the Purpose of draining and improving the Fen Lands and Low Grounds lying in the said Parishes, and bounded as follows; that is to say, beginning from the End or Corner of the Bank belonging to certain Lands called *The School Farm* and *Poor Lands*, near the Town of *Ramsay* aforesaid, to and across the End of a certain Drain called *The Gull Drain*, and from thence by a certain Roadway as it runs by the Side of Two ancient Rivers or Cuts, called *The Bill Load* and *The old River Nene*, to and across a certain Drove-way called *Uggmeer Cote Drove*, and from thence along the West Side thereof to the End of the same, and from thence across the same to a certain old Ditch, dividing or running between *Bury Crofts* aforesaid and *Upwood Common*, and from thence along the said old Ditch (including the same) up to a certain Drove or publick Highway, which divides or runs between *Bury Crofts* aforesaid and the hard Lands of *Upwood*, *Bury*, and *Ramsay*, (or some or One of them), and from thence turning to the Left along the said Drove or publick Highway to the West End or Corner of a certain Place called *Bury Green*, and from thence turning to the Left in a straight Line or Direction to and across another Ditch or Drain dividing *Bury Crofts* aforesaid, from Lands belonging to *John Julian* the younger, and from thence turning immediately to the Right along the same Ditch, to the Corner of the said Lands of the said *John Julian* the younger, by the Gate leading into the same from *Bury Green* aforesaid, to join the aforesaid Drain called *The Gull Drain*, and from thence down the same Drain (including the same) to the said first-mentioned End or Corner of the said *School Farm* or *Poor Lands*, the Beginning of the said Boundaries; which said Lands and Grounds shall be and are hereby made One entire District, and shall be embanked, drained, and improved, in the Manner herein-after directed.

Joint Owners may be Commissioners, and may appoint Deputies.

II. Provided always, and be it further enacted, That all Persons who shall be Joint Tenants, Tenants in Common, or Parceners of any Lands lying within the Limits aforesaid, and subject to be taxed by virtue of this Act, shall, for their several and respective Shares, be entitled to act by virtue of such respective Shares as Commissioners, by themselves or Deputies, and shall have the same Powers as if such Lands so held by them as Joint Tenants, Tenants in Common, or Parceners, were actually severed and divided.

Deputies may be appointed by Commissioners to act in their Absence.

III. Provided also, and be it further enacted, That it shall and may be lawful for, and every such Commissioner is hereby authorized and empowered to appoint, by Writing under his or her Hand, to be delivered to the said Commissioners, at some Meeting to be held in pursuance of this Act, from Time to Time, and for such Time as he or she shall think proper, a Deputy to act in his or her Absence as a Commissioner; and such Deputies shall and may, in the Absence of the Persons respectively by whom they shall be so appointed, act as a Commissioner in the Execution of this Act, in such and in the same Manner, to all Intents and Purposes, as such Commissioners respectively might act and do if they were personally present.

IV. Provided



IV. Provided always, and be it further enacted, That if any Person, who by virtue of this Act is empowered to act as a Commissioner in Person or by Deputy, shall, at the Time of passing this Act, or at any Time afterwards, be a Minor under the Age of Twenty-one Years, Idiot, Lunatick, or of unsound Mind, it shall and may be lawful for the Guardian of such Minor, and for the Committee or Trustee of such Idiot, Lunatick, or Person of unsound Mind, to act as a Commissioner for putting this Act into Execution; or in his or her Absence, by Writing under his or her Hand, to appoint a Deputy for that Purpose; and also shall and may, by Writing under his or her Hand, nominate and appoint a Commissioner or Commissioners for the Lands belonging to such Minor or other Person under such legal Disability as aforesaid, in like Manner and under such Restrictions, as any other Person is herein authorized and empowered to appoint a Commissioner or Commissioners; and that every such Person or Persons so nominated and appointed shall be, to all Intents and Purposes, Commissioners for carrying this Act into Execution.

If Owners and a Minor, etc. such Minor or his Guardian to appoint a Commissioner or Commissioners during his Minority.

V. And be it further enacted, That every Person who for the Time being shall be the *bonâ fide* Owner of Thirty Acres of Land, liable to be taxed as the First Sort of Land by virtue of this Act, may, and every such Person is hereby authorized and empowered to appoint, by Writing under his or her Hand, One Commissioner for every such Thirty Acres of Land subject to be taxed as aforesaid, and lying within the Bounds and Limits aforesaid, of which he or she shall be the Owner, over and above the Number of Acres for which he or she is hereby appointed a Commissioner; and every Person who for the Time being shall be the *bonâ fide* Owner of Twenty Acres of Land, liable to be taxed by virtue of this Act as Land of the Second Sort, may, and every such Person is hereby authorized and empowered to appoint, in like Manner, One Commissioner for every Twenty Acres subject to be taxed as aforesaid, and lying within the Limits and Bounds aforesaid, of which he or she is hereby appointed a Commissioner; and also that every Person who for the Time being shall be *bonâ fide* Owner of Ten Acres of Land liable to be taxed by virtue of this Act as Land of the Third Sort, may, and every such Person is hereby authorized and empowered to appoint, in like Manner, One Commissioner for every Ten Acres of Land subject to be taxed as aforesaid, and lying within the Bounds and Limits aforesaid, of which he or she shall be the Owner, over and above the Number of Acres for which he or she is hereby appointed a Commissioner; and that such Person or Persons so to be respectively appointed as aforesaid shall, during the Pleasure of the Owner or respective Owners of such Number of Acres within the Bounds and Limits aforesaid, likewise be, and he and they are hereby appointed a Commissioner and Commissioners for the Purposes aforesaid, and shall have the like Powers and Authorities for putting this Act into Execution, as if such Person or Persons so appointed were the Owner or Owners of such Quantity of Land within the Bounds and Limits aforesaid, as would qualify him or her to act as a Commissioner in his or her own Right: Provided always, that no Person so appointed shall be capable of acting as a Commissioner under the Appointment of any more than One Person at any One Time.

Appointment and Qualification of additional Commissioners.

No Person capable of acting for more than One Person at any One Time.

VI. And be it further enacted, That if any Person or Persons, not being properly qualified as herein-before mentioned, shall act as a Commissioner

Penalty on acting as Commissioners not being qualified.



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

Commissioners may act as Justices if not interested.

Meetings of Commissioners.

missioner or Commissioners in the Execution of this Act, he or they shall for every such Offence forfeit any Sum not exceeding Fifty Pounds, to be recovered, with full Costs of Suit, by any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Bill, Suit, or Information, wherein no Effoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and in which Action or Suit it shall only be necessary for the Plaintiff or Informer to prove that the Defendant acted as such Commissioner in the Execution of this Act, and a Verdict shall be found against the Defendant or Defendants, unless he or they shall prove in his or their Defence that he or they were, at the Time of his or their so acting, properly qualified according to the true Intent and Meaning of this Act: Provided always, that no Person or Persons holding any Place or Office of Profit under the said Commissioners shall act as a Commissioner, or as Agent or Deputy for any other Commissioner appointed under this Act, during the Time he shall hold such Place or Office of Profit.

VII. And be it further enacted, That in all Cases any Justice of the Peace may act as such in the Execution of the Powers herein contained, notwithstanding his being a Commissioner, except in Cases wherein he shall be personally interested.

VIII. And be it further enacted, That the First Meeting of the said Commissioners shall be holden at some Place in *Ramsay* aforesaid, within One Month next after the passing of this Act; and that the said Commissioners shall meet Twice in every Year at some Place in *Ramsay* aforesaid, or at such other Place as the said Commissioners shall from Time to Time appoint, on the Second *Friday* in the Month of *April*, and the Second *Friday* in the Month of *October*, in each and every Year, and at such other Time or Times as they, or any Three or more of them, shall see Cause or think convenient, and may from Time to Time adjourn themselves, and meet again pursuant to such Adjournment, as often as they shall think proper; and in case Three Commissioners shall not be present at the Place and Time appointed for holding any of the said Meetings, or the said Commissioners shall at any Meeting omit to adjourn such Meeting, then and in every such Case it shall and may be lawful to and for the Clerk to the said Commissioners to adjourn such Meeting to a Time not exceeding Fourteen Days from the Time the last Meeting was appointed to have been holden or was holden, and to the same Place where the same was appointed to be or was holden, of which Adjournment publick Notice shall be given, by affixing a written Notice upon the respective Church Doors of *Ramsay* and *Bury* aforesaid, One *Sunday* at the least previous to the Time of such Meeting, and also by advertising the same Once in the *Cambridge Chronicle* (if then published), or in some other Weekly Newspaper circulated in the said County of *Huntingdon*, previous to such Meeting as aforesaid; and in case any Three or more of the said Commissioners shall deem a Special Meeting of the said Commissioners necessary or proper, then and in every such Case it shall and may be lawful to and for any Three or more of the said Commissioners to call a Meeting of the said Commissioners, to be holden at *Ramsay*, or such other Place as the said Commissioners shall think proper, of which Meeting Notice shall be given at least One *Sunday* previous to such Meeting, by affixing the same on the respective Church Doors of *Ramsay* and *Bury* aforesaid,



aforesaid, and by advertising the same in the *Cambridge Chronicle* (if then published), or in some other Weekly Paper usually circulated in the said County of *Huntingdon*, Ten Days previous to the Time of holding such Meeting; and such Notice shall be signed with the Names of the Commissioners requiring such Meeting; and that all Powers and Authorities granted to or vested in the said Commissioners shall and may from Time to Time be exercised by the major Part of them present at such Meeting, such major Part not being less than Three.

Three Commissioners a Quorum.

IX. Provided always, and be it enacted, That no Order or Determination made or come to, at any Meeting of the said Commissioners, shall be revoked or annulled but at a subsequent Meeting, at which Seven Commissioners shall be present, and consent thereto, nor unless Notice of such Meeting (stating the Object thereof) shall be One *Sunday* affixed on the Doors of the Parish Churches of *Ramsay* and *Bury*, and be once inserted in the *Cambridge Chronicle* (if the same shall continue to be published), or in some Weekly Newspaper usually circulated in the said County of *Huntingdon*.

Orders not to be revoked but at subsequent Meetings.

X. And be it further enacted, That no greater or larger Sum of Money than Thirty Shillings in the Whole shall be paid or allowed for the Expences of the Commissioners, at any One of the General Meetings to be held under or by virtue of this Act, or more than Fifteen Shillings for the Expences of the Commissioners at any adjourned or special Meeting.

Expence of Meetings.

XI. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose of all the Acts, Orders, Rules, Regulations, Directions, and Proceedings of the said Commissioners, relative to the Execution of this Act, and of the Names of the Commissioners who shall be present at the respective Meetings, and the same shall be signed with the Name of the Clerk to the said Commissioners; and all such Entries being so signed shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Suits, and Actions, touching any Thing done in pursuance of this Act.

Entry of Proceedings good Evidence.

XII. And be it further enacted, That every Nomination or Appointment of a Commissioner or Commissioners in pursuance of this Act shall be entered by the Clerk to the said Commissioners, in a Book to be kept for that Purpose; and that such Commissioner or Commissioners shall and may, and are hereby empowered to act in the Execution of this Act, until superseded by a fresh Nomination, to be entered in such Book as aforesaid.

Appointment of Commissioners to be entered in a Book, etc.

XIII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of their Clerk; and that no Action that may be brought or commenced by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of such Clerk, without the Consent of the said Commissioners; but the Clerk for the Time being to the said Commissioners shall always be deemed Plaintiff or Defendant in such Action, as the Case may be, except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for

Actions to be brought in the Name of the Clerk.

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the Time being, in which Action or Actions any One of the said Commissioners shall or may be made Plaintiff or Defendant, as the Case shall be: Provided always, that every such Clerk or Commissioner, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put to, or chargeable with, by reason of his being so made Plaintiff or Defendant therein.

For appoint-  
ing Officers.

Security to be  
given.

Officers to  
account.

XIV. And be it further enacted, That the said Commissioners shall and may, at their First or any subsequent Meeting, appoint a Clerk or Clerks, Treasurer, Surveyor, and such other Officer or Officers, for the Execution of this Act, as the said Commissioners shall think proper, and from Time to Time remove them, or any of them, and appoint others, as they shall find necessary or convenient, and by and out of the Monies to be raised by this Act, may and are hereby empowered to appoint and pay such Salaries and Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable; and the said Commissioners shall take such Security for the due Execution of the respective Offices, by such Person or Persons as aforesaid, as the said Commissioners shall think proper; and all such Officers and Persons so to be appointed as aforesaid shall, under their Hands at such Time or Times, and in such Manner as the said Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint, a true and perfect Account in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Officers, and Person or Persons respectively, received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers or Persons so accounting as aforesaid shall upon Oath verify their said Accounts (which Oath any One of the said Commissioners is hereby enabled to administer); and if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or shall refuse to deliver up the Receipts or Vouchers relating to the same, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by such Commissioners, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as, upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Commissioners, or as they shall direct or appoint, then and in any of the Cases aforesaid, such Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons so neglecting or refusing as aforesaid; or if any Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons so neglecting or refusing shall be and reside, such Justices may and



and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons so refusing or neglecting, to be brought before them, and upon his or their appearing, or not being found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justices are hereby empowered to administer), it shall appear to such Justices that any of the Money that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and they are hereby authorized and required, upon Non-payment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same; or if it shall appear to such Justices, upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby empowered to administer), that any such Officer shall not have made and rendered, or shall refuse to verify upon Oath any such Account, or shall refuse to deliver up the Receipts or Vouchers relating to the same, or shall not have delivered to the said Commissioners, or to such Person or Persons as shall have been appointed by them to receive the same, within Ten Days after being thereunto required by such Commissioners, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, then and in any or either of the Cases aforesaid, such Justices shall commit every such Offender to the Common Gaol or House of Correction for the County of *Huntingdon*, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make), and until he shall deliver up such Books, Papers, Vouchers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners.

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to make, raise, cut, set, and build up, or cause to be made, raised, cut, set and built up, in, upon, through, or over the Lands or Grounds within the Bounds and Limits of the said District, all such Cuts, Drains, Banks, Bridges, Dams, Headings, Outlets, Mills, Engines, Sluices, and other Works, as they shall think necessary for the better draining and preserving of the said Lands and Grounds; and the said Works to be made under and by virtue of this Act shall be vested in and be the Property of the said Commissioners, and that the said Commissioners shall have full Power and Authority over all and singular the Works so to be made, and over all and singular the Banks, Bridges, Cuts, Drains, Headings, Outlets, Mills, Engines, Sluices, and other Works already made or set up, or maintained and kept in Repair by the said Commissioners, and also from Time to Time to cleanse, widen, deepen, alter, repair, remove, support, rebuild, and enlarge the same respectively, as they may think proper, for the better draining of the

Commissioners to make Works, etc.



the said Lands and Grounds; and that it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered from Time to Time to divide off, take, and use such Lands and Hereditaments as the said Commissioners shall judge necessary to be cut, dug, taken, or used, for the making any of the Banks, Bridges, Cuts, Drains, Dams, Headings, Outlets, or other Works, for the Execution of this Act; and also from Time to Time and at all Times to dig, cut, take, and carry away any Earth, Flag, or other Materials, from the Lands within the said District, therewith to heighten, widen, strengthen, make, maintain, and support the Banks and Works comprized in the said District, of such Width, Strength, and Dimensions, as they the said Commissioners shall think proper, and also to take and carry away the Earth coming out of any of the publick Drains to be made by virtue of this Act, for the Purpose of making any Bank or Banks that may be thought necessary to be made under the Authority of this Act, they doing as little Damage as may be, and making Satisfaction and Compensation for the same, in Manner as herein mentioned: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to enable the said Commissioners to dig or take any more Earth in any Lands adjoining to any Bank, than shall be sufficient for the maintaining and preserving such Part of the Bank as shall be immediately opposite such Lands.

Power to  
make a  
Catchwater  
Drain.

XVI. And be it further enacted, That it shall and may be lawful for the said Commissioners to make or cause to be made (within the Bounds or Limits of the said District) a sufficient Cut or Catchwater Drain, or Cuts or Catchwater Drains, for the Conveyance of the highland Waters, in such Manner and of such Dimensions, and in such Place or Places, as they the said Commissioners shall think right and proper.

Power to join  
the School  
Farm and  
Poor Lands  
Bank.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to make and erect such Banks or Mounds as may be necessary for the Purposes of this Act, at the End of the said Drain called *The Gull Drain*, near the said River or Cut called *The Bill Load*, and to connect and join the same with the Bank belonging to the said School Farm and Poor Lands, in such Manner and in such Places as may seem most proper to the said Commissioners.

Power to  
erect a Drain  
across the  
Roadway  
leading from  
*Ramsay* to  
*Uggmeer Cote*  
Drove.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to make a Cut or Drain, Cuts or Drains, through, over, or across the Road or publick Highway leading from the Town of *Ramsay* afore said to the said Drove way called *Uggmeer Cote Drove*, in such Places and in such Manner as may be necessary for answering the Purposes of this Act, they the said Commissioners causing a proper and sufficient Tunnel or Bridge, Tunnels or Bridges, to be made over such Cut or Drain, Cuts or Drains, and keeping the same at all Times in good and sufficient Repair; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Power to  
make Bridges  
over Drains;

XIX. And be it further enacted, That where the said Commissioners shall make or cut any Cuts or Drains across any Drove way or Drove ways,  
or



or other publick Highways comprized within the said District, they the said Commissioners shall cause proper and sufficient Bridges or Tunnels to be put down and placed over all such Cuts or Drains, and from Time to Time keep such Bridges or Tunnels in good and proper Repair; and also shall and do erect, put down, and build, or cause and procure to be erected, put down, and built, a good, proper, and sufficient Bridge or Tunnel, or Waterway across the said Drove called *Uggmeer Cote Drove*, near to or at the South End thereof next to *Upwood Common*, for the Conveyance of Water, and the Convenience of Persons passing to and from the said Drove to *Upwood Common* aforesaid, and shall and do at all Times repair, uphold, and sustain the same at their sole Costs and Charges: Provided always nevertheless, that nothing herein contained shall compel the said Commissioners to erect, put down, or repair any Bridge or Bridges, Tunnel or Tunnels, which shall be required to be made over the said Cut or Catchwater Drain, for the Purpose and Convenience of getting into the several Lands adjoining; but that in all Cases whatsoever the same shall be erected, built, and kept in Repair, of sufficient and proper Height, Width, and Depth, according to the Size of the said Cut or Catchwater Drain, at the sole Charges and Expences of the Owner or Owners of such Lands adjoining the same.

but not over  
the Catch-  
water Drain.

XX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby fully authorized and empowered to make or continue a Bank from or near to the Boundaries of the said District, at the West End or Corner of *Bury Green* aforesaid, so far across the said Green, and in such Manner and Places, and under such Directions as they the said Commissioners shall think proper and necessary for the Purposes of this Act; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Power to con-  
tinue the  
District Bank  
across *Bury  
Green*.

XXI. And be it further enacted, That the said Commissioners shall have full Power and Authority to agree with the Proprietor of, and Persons interested in any Lands, Tenements, or Hereditaments, which the said Commissioners shall judge necessary to be used for the Purpose of making any Cut or Cuts, Drain or Drains, for the Purchase of such Lands, Tenements, or Hereditaments, or to agree for the Recompence to be made to such Proprietors and Persons interested, for the Damages they may sustain thereby, and also to settle and ascertain in what Proportion the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises; and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants, or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, who are or shall be seised or interested in their own Right, and to and for all and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in such Lands, Tenements, or Hereditaments, to contract for, sell, and convey unto the said Commissioners, or to such Person or Persons as they shall appoint, any Lands, Tenements, or Hereditaments, for the Purposes aforesaid, or to agree with the said Commissioners under this Act for any Recompence or Compensation to

Commission-  
ers may  
agree for the  
Purchase of  
Lands, or  
Satisfaction  
for Damages.

Bodies Poli-  
tick, etc. may  
contract for  
Sale of Lands,  
or Compens-  
ation for  
Damages.

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Persons refusing or neglecting to treat;

Commissioners may apply to the Sessions to ascertain Value of Land and Amount of Damages.

The Justices to cause the Jury to assess Damages.

Witnesses to be summoned.

be made for the Damages which may be done to any such Lands, Tenements, and Hereditaments by the Means aforesaid; and all such Contracts, Sales, Conveyances, and Agreements, shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding; and all Bodies Politick, Corporate, or Collegiate, and all Persons whatsoever, are hereby indemnified for what they, or any of them, shall lawfully do in pursuance of this Act; but if it shall happen that any such Body Politick, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested or concerned as aforesaid, shall, for the Space of Thirty Days after Notice in Writing given to the principal Officer or Officers of such Body Politick, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at his, her, or their respective Place or Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers of such Lands, Tenements, or Hereditaments, neglect or refuse to treat, or shall not agree with the said Commissioners, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners may and they are hereby authorized and empowered, Fourteen Days at least before any General Quarter Sessions of the Peace to be holden for the said County of *Huntingdon*, within Twelve Calendar Months after the Lands or Grounds shall have been used, or such Damage done, to give or cause to be given to the Party or Parties whose Land or Ground shall have been used, or who shall have sustained such Damage or Injury, or leave or cause to be left at his or their last or usual Place or Places of Abode respectively, or at the Place of Abode of the Tenant or Tenants in Possession of the Premises, a Notice in Writing, purporting that the Value of such Land or Ground, and the Amount of the Damage or Injury sustained, will be adjusted and settled by a Jury at the said Sessions; and the Justices at their said Sessions, or any Adjournment thereof, shall and are hereby authorized and empowered to charge the Jury which shall attend at such Sessions, or some other Jury of Twelve honest and substantial Men, to be then and there impannelled and returned by the Sheriff of the said County, and cause them to be sworn well and truly, on their Oaths, to assess the Value of the Land or Ground, and the Recompence to be given for the same, or for any Damage or Injury sustained as aforesaid, to the respective Person or Persons, Bodies Politick, Corporate, or Collegiate, having any Interest therein, or to the Owner or Owners thereof, according to their respective Interests therein, to which said Juries the said Commissioners, and all Parties interested in the said Lands, shall have their lawful Challenges when they come to be sworn; and the Clerk of the Peace for the said County is hereby authorized and empowered, upon Application made to him by any of the Parties interested, by Subpoena or Summons under his Hand, to call before the Justices at such Sessions or any Adjournment thereof, any Person or Persons who shall be thought proper to be examined touching or concerning the Premises; and the said Jury upon their Oaths (which Oaths, and also the Oaths to be taken by the Persons who shall appear or be summoned to be examined and give Evidence as aforesaid, the said Justices at their Sessions are hereby empowered and required to administer) shall ascertain and award the Recompence to be given for the said Land or Ground, or any Damage or Injury which shall have been done as aforesaid, to the respective Person or Persons, Bodies Politick, Corporate, or Collegiate,



Collegiate, or Owner or Owners thereof; and the said Justices shall and may give Judgement according to the Verdict of the said Jury; and the Judgement thereupon declared and pronounced by the said Justices shall finally bind and be conclusive to the said Commissioners, and all Persons and Parties interested in the said Lands or Grounds, and shall be entered and kept among the Records of the Quarter Sessions for the said County, and true Copies thereof, being signed by the Clerk of the Peace for the said County, shall be deemed and taken as good Evidence in all Courts of Law or Equity; and all Persons may have Recourse thereto, or take Copies thereof or Extracts therefrom, on paying the usual Fees paid in Cases of the like Nature.

Justices to give Judgement; the same to be final.

XXII. And be it further enacted, That in all Cases where any Verdict shall be given for any greater Sum or Recompence which shall have been offered by or on Behalf of the said Commissioners, before Notice of the intended Application to be made to the said Sessions for or in respect of any of the Matters aforesaid, that then all the Expences of such Application, including the Charge of Witnesses, shall be paid by the said Commissioners out of the Rates and Taxes to be raised by virtue of this Act; but if any Verdict shall be given for no more, or for a less Sum than shall have been so previously offered by or on the Behalf of the said Commissioners, then and in every such Case such Expences shall be paid by the Owners of or Persons interested in the Lands, Tenements, or Hereditaments and Premises, upon or in respect of which such Application shall have been made; all which Expences shall be regulated, settled, and allowed by the Justices in Sessions before whom the Matter shall be heard and determined.

Expences of the Jury and Witnesses by whom to be paid, and settled by the Justices.

XXIII. And be it further enacted, That after Payment or legal Tender of such Sum or Sums of Money so agreed or contracted for, for the Purchase of any Lands, Tenements, or Hereditaments, or assessed for Damages as aforesaid to the Party or Parties interested, or if he, she, or they cannot be found, or shall refuse to accept such Money, then upon Payment thereof into the Bank of *England*, in case the same shall be equal to or exceed the Sum of One hundred Pounds, or upon leaving the same, in case the same should be less than the Sum of One hundred Pounds, in the Hands of the Treasurer to the said Commissioners, for the Use of, and to be paid upon Demand, without Fee or Reward, to such Party or Parties respectively, it shall and may be lawful to and for the said Commissioners, and all Persons authorized by them, to enter upon the Lands, Tenements, or Hereditaments, in respect whereof such Monies were so agreed for, or by Verdict assessed as aforesaid, and to make use of such Lands, Tenements, and Hereditaments, for the Purposes of this Act; and all and every Person and Persons, Bodies Politick, Corporate, and Collegiate whatsoever, shall thenceforth be, to all Intents and Purposes, divested of all Right, Claim, Interest, and Property whatsoever, to or in the same.

On Satisfaction being made or tendered, Commissioners may proceed on the Works.

XXIV. And be it further enacted, That in all Cases where any Verdict shall be given for a greater Sum for the Sale of any Lands, Tenements, or Hereditaments, or as a Compensation for Damages done or to be done, than shall have been offered by or on Behalf of the said Commissioners before the summoning of such Jury, then all the Expences of such Jury, and of the Witnesses attending upon the same, and of taking such Inquest (such

Costs to be paid.



(such Expences to be settled by the said Justices) shall be paid by the said Commissioners out of the Monies to be raised by virtue of this Act; but if any Verdict shall be given for no more, or for a less Sum than shall have been previously offered in the Cases aforesaid by or on Behalf of the said Commissioners, then and in every such Case the Expences attending such Verdict and Judgement, to be settled as aforesaid, shall be paid by the Owners, or Persons interested in the Lands, Tenements, or Hereditaments, upon or in respect of which such Application shall have been made; which said Expences, in case the same shall not be paid on Demand, after being settled as aforesaid, may be recovered by the said Commissioners, in and by such Ways and Means as are herein-after provided for the Recovery of Rates and Taxes to be raised and levied by virtue of this Act.

For paying  
off Mort-  
gages on  
Lands taken  
by the Com-  
missioners.

XXV. Provided always, and be it enacted, That if any Lands, Tenements, or Hereditaments, taken or made use of by the said Commissioners, shall be in Mortgage to any Person or Persons whomsoever, then and in such Case the said Commissioners shall and they are hereby required to pay or cause to be paid to the Mortgagee or Mortgagees, his, her, or their Executors or Administrators, such Sum or Sums of Money as shall have been so agreed for, ascertained, or determined as aforesaid, for the Use or Purchase of such Lands, Tenements, or Hereditaments; and such Sum or Sums of Money, when so paid, shall be and be deemed to be in Discharge of the Principal Money due on such Mortgage or Mortgages, and Acknowledgement of the Receipt thereof shall be made by Indorsement on the Mortgage Deed or Deeds, signed by such Mortgagee or Mortgagees, his, her, or their Executors or Administrators respectively, in the Presence of One or more credible Witness or Witnesses; and such Indorsement shall be and be deemed to be a full and sufficient Discharge to the said Commissioners from the Mortgagor or Mortgagors, his, her, or their Executors or Administrators, and also a full and sufficient Discharge to the Mortgagor or Mortgagors, his, her, or their Executors or Administrators, from the Mortgagee or Mortgagees, his, her, or their Executors or Administrators, for so much Money as shall be expressed in such Indorsement.

Application  
of Compen-  
sation where  
exceeding  
200 l.

XXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity as herein mentioned, such Money shall, in case the same exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Commissioners respectively, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in Discharge of any Debt or Debts, or any Part thereof, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same



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

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

Application where Compensation does not exceed 200*l.* nor less than 20*l.*

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

Application where the Money is less than 20*l.*

[Loc. & Per.]

3 A

Infancy



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

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery, on Motion or Petition.

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

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto, according to such Possession, unless, etc.

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



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

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

The Court of Chancery may order reasonable Expences of Purchasers to be paid by the Commissioners.

XXXII. And whereas, for carrying and effecting the said Work of draining, and securing the Repayment of such Sum and Sums of Money as shall be borrowed for that Purpose, it will be necessary that certain Taxes should be laid on all the said Fen Lands and Low Grounds; and for as much as the same are not only very different from the natural Richness and Barrenness of their Soil and Value, but some Parts thereof have been dug up for Fuel, and will not receive so much immediate Benefit from the said Drainage, for which Reason it would be unjust to charge all the said Fen Lands with an equal Acre Tax; therefore, for preventing this, and that all the said Fen Lands and Low Grounds may be taxed with as much Indifference and Equality as possible, according to their respective Improvement by the draining, be it further enacted, That the said Fen Lands and Low Grounds shall be rated and taxed by a gradual and proportionate Acre Tax of Three different Sorts and Values of Lands, to be set as herein-after appointed.

Different Taxes on Lands of different Sorts.

XXXIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, assembled at their First or any other Meeting to be held as aforesaid, to assess, rate, tax, and charge all and singular the said Fen Lands and Low Grounds within the said District, with such annual Sum, according to the beforementioned gradual and proportionate Acre Tax, and not otherwise, as they shall judge necessary for completing and maintaining the aforesaid Works of Drainage, so that the Rate or Tax set upon One Acre of Land of the First Sort, being Lands of the most inferior Quality, does not exceed Eight Shillings; the Rate or Tax set upon One Acre of the Second Sort, being Lands of the middling Quality, does not exceed Sixteen Shillings; and the Rate or Tax set upon One Acre of the Third Sort, being Lands of the superior Quality, does not exceed Twenty-four Shillings in any One Year; and so that for every One Penny charged upon an Acre of Land of the First Sort, Two-pence be charged upon an Acre of Land of the Second Sort, and Three-pence upon an Acre of Land of the Third Sort; which said Tax shall be paid to such Collector or Collectors, Receiver or Receivers, or other Person or Persons, and at such Time or Times, Place or Places, as is herein directed and appointed; and that the said Taxes shall continue to be charged and paid each and every Year, so long as it shall be necessary, in order

Taxes to be laid.



order to carry into Effect the Purposes of this Act; which said several Taxes shall be raised, levied, and recovered, in Manner herein directed.

High Lands  
not to be  
taxed.

XXXIV. Provided always, and be it further enacted, That no Tax or Assessment shall be rated, charged, taxed, or levied, for or in respect of any Lands, being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of *High Lands*, and have not been damaged by Inundations.

Persons to  
be appointed  
to value and  
sort Lands.

XXXV. And be it further enacted, That the said Commissioners shall have full Power and Authority, and they are hereby required, at their First or any other Meeting after the passing of this Act, to nominate and appoint One or more competent and skilful Person or Persons, not being Owners or Occupiers of, or Agent or Agents for any Lands or Grounds within the said District, to view the Lands and Grounds therein, and to ascertain the Benefit to be derived by such Lands and Grounds by such Drainage, and also to assort the same into the said Three several Sorts herein-before mentioned and specified, and to ascertain which are High Lands, and have not been damaged by Inundations, and which are not; and the said Person or Persons shall immediately proceed in the said View, Valuation, and Assortment, and the same shall, with all convenient Dispatch, be laid before the said Commissioners, and be verified upon the Oath or Oaths of the Person or Persons so making the same, which Oath or Oaths any One of the said Commissioners is hereby authorized and empowered to administer in the Words following:

‘ I *A. B.* do swear, That this Valuation and Assortment is faithfully,  
‘ impartially, and honestly made, according to the best of my Skill  
‘ and Judgement, and without Favour or Affection to any Person or  
‘ Persons whomsoever.

‘ So help me GOD.’

Survey and  
Map to be  
made.

And such Valuation and Assortment of the said Person or Persons shall be binding upon all Persons whomsoever; and such Person or Persons so appointed to view, value, and assort as aforesaid, shall and he or they are hereby authorized and required to make or cause to be made a proper Survey and Map of all the said Lands and Grounds, distinguishing therein the said Three several Sorts of Lands, together with the Quantity of Acres, Roods, and Perches, belonging to each particular Person, and also which are High Lands and not subject to Inundations, and which are not; and which said Survey and Map so made shall be delivered to the said Commissioners, at some One of their Meetings, and shall be verified upon the Oath of the Person or Persons making the same (which Oath any One of the said Commissioners is hereby authorized to administer); and which Survey and Map to be given in as aforesaid shall be a sufficient Authority to the said Commissioners to make and collect the said Rates and Taxes by, and shall be binding on the several Persons charged with the Payment thereof, for their several Lands charged with such Payment; and such Survey and Map being signed by the Person or Persons making the same, and also by the said Commissioners, shall be allowed as Evidence in all His Majesty's Courts of Law or Judicature whatsoever.

Appointment  
of new Va-  
luers in case  
of Death.

XXXVI. And be it further enacted, That if the said Person or Persons to be nominated and appointed as aforesaid, or their Successor or Successors,



cessors, to be appointed as herein-after mentioned, shall refuse or neglect to make or become incapable of making the Valuation aforesaid, or shall die before the said Valuation shall have been laid before the said Commissioners, and verified as aforesaid, then and in such Case it shall and may be lawful to and for the said Commissioners, within Twenty-one Days after such Refusal, Incapacity, or Death aforesaid shall be known, to nominate and appoint another Person, not being either an Owner or Occupier of, or Agent for any Lands or Grounds within the said District, to view, value, and assort, in the Room of every such Person or Persons refusing or becoming incapable to act, or deceased; and that every Person so to be appointed shall have the like Power and Authority to act, in the Execution of this Act, as the Person in whose Place he or they shall succeed is hereby invested with.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, at the Expiration of Ten Years next after the passing of this Act, and also again at the Expiration of Seventeen Years next after the passing of this Act, to cause all the Lands and Grounds liable to be rated, taxed, charged, and assessed, by virtue of this Act, to be again viewed, assorted, and valued, by One or more indifferent and skilful Person or Persons, with the like Powers, and to be appointed in like Manner, and under and subject to the like Rules and Regulations herein-before directed, in respect to the View, Assortment, and Valuation first herein mentioned, to the End that the said Lands may be then taxed, rated, and assessed, in respect to their then Value, and the Improvement they may have received by the said Draining; and such View, Assortment, and Valuation, so to be impartially made as aforesaid, shall be binding and conclusive upon all Parties whomsoever, in like Manner and in all Cases whatsoever as the said herein-before directed View, Valuation, or Assortment; and which said last View, Valuation, or Assortment, at the Expiration of the said Seventeen Years, shall be binding and conclusive upon all Parties, and remain and continue for ever.

Lands to be surveyed and valued at the End of Ten and Seventeen Years after the passing of this Act.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the several Persons appointed by the said Commissioners to survey the said Lands and Grounds, their Assistants and Servants, and every other Person employed by the said Commissioners, from Time to Time and at all Times, to enter into, view, examine, survey, admeasure, plan, and value the said Lands and Grounds, and affix Stakes or Land Marks thereon, and to do all other Acts, Matters, and Things, which shall in their Judgement be requisite for carrying this Act into Execution.

Power to enter Lands.

XXXIX. And be it further enacted, That it shall be lawful for any Tenant for Life or Lives, or in Tail, or for Years determinable upon Contingencies, Guardians, Husbands, Trustees, Committees, or Attornies of any Infants, Lunatics, Idiots, Females Covert, Persons beyond the Seas, or otherwise incapable of acting for themselves, and Trustees of any Charity or other Purpose, by Writing under their Hands and Seals, from Time to Time to charge such of their said Lands or Grounds, which are subject and liable to be taxed by this Act with the Sum of Eight Shillings, Sixteen Shillings, or Twenty-four Shillings, for every

Tenants for Life, &c. may borrow Money.

[Loc. & Per.]

3 B

Acre,



Acre, according to its Sort or Degree, with such Sum for each Year which such Person or Persons shall be actually rated or taxed by virtue of this Act; and for securing the Repayment of such Sum or Sums of Money, with Interest for the same, to surrender, grant, mortgage, lease, or demise, the same Lands and Grounds so to be charged, unto such Person or Persons who shall advance and lend the same respectively, his, her, and their Executors, Administrators, and Assigns, so as every such Surrender, Grant, Mortgage, Lease, or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered as aforesaid, when the Money thereby secured, with the Interest thereof, shall be fully satisfied and paid; and so as every such Surrender, Grant, Mortgage, Lease, or Demise, to be made by any Tenant for Life or Lives, or in Tail, or for Years determinable upon Contingencies, contains a Covenant or Proviso that the Person or Persons entitled in Remainder or Reversion shall not, nor shall any Person be liable on his, her, or their becoming seised or possessed of any such Lands or Grounds, to pay any further or larger Arrear of Interest than for the Half Year preceding the Time when the Title of such Possession shall accrue and commence; and every such Surrender, Grant, Mortgage, Lease, or Demise as aforesaid, shall be good, valid, and effectual in the Law for the Purposes thereby intended.

First Payment  
of Taxes.

XL. And be it further enacted, That the First Payment of the said Rate, Tax, or Assessment, by this Act imposed and made payable as aforesaid, for and in respect of all the Fen Lands and Low Grounds lying within the District aforesaid, shall become due and payable within One Calendar Month next after the said Survey, View, Assortment, and Valuation, shall be made and delivered in to the said Commissioners as aforesaid.

For Recovery  
of Taxes.

XLI. And be it further enacted, That in case any Owner or Owners, Tenant or Tenants, or Occupier or Occupiers, of any Lands or Grounds to be drained by virtue of this Act, shall make Default in Payment of the Whole or any Part of the Sum or Sums of Money assessed, rated, taxed, or charged upon him, her, or them, for or in respect of such Lands or Grounds, or any Part thereof, and shall continue in such Default by the Space of One Calendar Month next after the Time appointed by the said Commissioners as aforesaid for such Payment, it shall and may be lawful to and for the Collector or Collectors, or other Person or Persons authorized by the said Commissioners to collect such Taxes respectively, by virtue of any Warrant or Precept under the Hands and Seals of any Two or more of the said Commissioners (which Warrant or Precept such Two or more of the said Commissioners are hereby empowered and required to make and give, as they shall see Occasion, though not assembled at any Meeting in pursuance of this Act), to enter into and upon all or any Part of the Lands or Grounds so rated, taxed, or charged as aforesaid, and into and upon all or any Messuages or Tenements thereupon standing, and there, or in any Part or Parts of the Lands, Grounds, Messuages, or Tenements, upon which such Entry shall be made, to distrain all or any of such Goods, Chattels, or Cattle, as shall be there found; and it shall and may be lawful for such Collector or Collectors, or other Person or Persons authorized as aforesaid, to impound the Goods, Chattels, or Cattle so distrained, on any Part of the



the Messuages or Lands whereon the same shall be found, or otherwise to take, lead, drive, or carry away and keep the same for the Space of Five Days, leaving Notice in Writing of the Cause of such Distress or Distresses at the Messuage or Tenement, Messuages or Tenements, or in some conspicuous Part of the Lands or Grounds upon which such Distress shall be taken, or otherwise at the usual Place or Places of Abode of the Owner or Owners of such Goods, Chattels, or Cattle; and if the Owner or Owners of such Goods, Chattels, or Cattle so distrained, shall not pay the Sum or Sums of Money so rated, taxed, charged, and distrained for as aforesaid, and the Penalty incurred by the Nonpayment of the said Sum or Sums of Money, within the Time herein limited for that Purpose, together with the Costs and Charges of such Warrant, and of taking such Distress, and of keeping and maintaining the same, or replevy the Goods, Chattels, or Cattle so distrained, according to the Law now in force for Non-payment of Rent, within the said Five Days, that then the said Goods, Chattels, or Cattle so distrained, shall be appraised by Two or more indifferent Persons, to be sworn by the Constable or Headborough of the Parish or Place where such Distress shall be made (who is hereby authorized and required to administer an Oath for that Purpose), according to the best of their Judgements; and that after such Appraisement as aforesaid, the said Goods, Chattels, or Cattle, shall be sold by the said Collector or Collectors, or other Person or Persons as aforesaid, for Payment of the said Sum or Sums of Money so rated, taxed; charged, and distrained for, and of the Penalty incurred by the Non-payment of the said Sum or Sums of Money within the Time herein limited for that Purpose, and of the said Costs and Charges, and also of the Costs and Charges of appraising and selling such Distress; and that the Overplus arising from such Sale (if any), after Payment of the said Sum or Sums of Money shall be returned, on Demand, to the Owner or Owners of such Goods, Chattels, or Cattle.

XLII. And be it further enacted, That the Taxes chargeable by virtue of this Act shall be paid to the Collector or Collectors, Receiver or Receivers for the Time being of the said District, Twice in every Year, namely, upon the First *Monday* in the Months of *September* and *February*, at such certain Place in *Ramsay* aforesaid, as the said Commissioners shall from Time to Time direct and appoint for that Purpose (publick Notice of such Time and Place of Payment being first affixed One *Sunday* upon the Church Doors of *Ramsay* and *Bury* in the said County of *Huntingdon*, the same to be at least Fourteen Days immediately preceding the said Time of Payment); and in case of Non-payment of the said Taxes within One Calendar Month after the Time so prescribed for Payment thereof, every Person so neglecting shall forfeit and pay the Sum of Two-pence for every Shilling due for such Taxes, and not paid as aforesaid, and so in Proportion for any greater or less Sum than Twenty Shillings, to be recovered in the same Manner as the Taxes charged by virtue of this Act are herein directed to be recovered.

Penalty on  
Non payment  
of Taxes with-  
in a limited  
Time.

XLIII. And be it further enacted, That all and every the Tenants and Occupiers of the said Lands and Grounds, which shall be assessed or rated by virtue of this Act, shall pay, and they are hereby authorized and required to pay, all and every such Sum and Sums of Money as shall be assessed or rated on their respective Lands and Grounds in their several

Tenants to  
pay the  
Taxes, and  
deduct the  
same out of  
their Rents.

Occupation



Occupations, and to deduct and retain out of his, her, or their Rent, all such Sum or Sums of Money as he, she, or they shall so respectively pay as aforesaid; and the several and respective Landlords or Owners of such Lands and Grounds are hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of their Rents; and that every such Tenant or Occupier, paying such Rate or Tax, shall be acquitted and discharged of so much Money as the said Rate or Tax so paid by him, her, or them, shall amount to, as fully and effectually as if the same had been actually paid to his, her, or their Landlord or Landlords.

No beneficial  
Lessee to be  
allowed to  
deduct Taxes.

XLIV. Provided nevertheless, and be it further enacted, That no Lessee or Tenant of any Lands or Grounds charged with the Rates or Taxes imposed by this Act, who shall hold the same by virtue of or under any Lease from any Bishop, or Collegiate Church or College, or any Ecclesiastical Corporation, Sole or Aggregate, or by virtue of, or under any other Lease or Agreement, of which, at the Time of passing this Act, there shall be more than Three Years to come and unexpired, shall be entitled to deduct the said Rates, Taxes, or Assessments, or any of them, out of the Rent received or payable by any such Lease or Agreement, but the said Rates and Taxes shall be charged upon and paid by the Lessees or Tenants so holding such Lands or Grounds as aforesaid.

But not to  
deduct Penal-  
ties.

XLV. Provided nevertheless, and be it further enacted, That where any Penalty or Penalties shall have been incurred for Non-payment of any Tax or Taxes, by virtue of any of the Provisions herein contained, and such Penalty or Penalties shall have been levied by the said Commissioners upon the Goods, Chattels, or Stock of any Person or Persons occupying any of the said Fen Lands or Low Grounds, or where such Penalty or Penalties shall have been paid by such Occupier or Occupiers, all and every such Penalty and Penalties, together with the Costs, Charges, and Expences of taking such Distress or Distresses (where any such Distress or Distresses shall have been taken), shall be borne and sustained by such Occupier or Occupiers respectively, and the Landlord or Owner, Landlords or Owners of such Fen Lands and Low Grounds, shall not be compelled or compellable to allow or pay any such Penalty or Penalties, or Expences, to such Occupier or Occupiers; any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

Taxes to be  
levied on the  
Goods of  
Persons re-  
moving their  
Cattle off their  
Lands.

XLVI. And be it further enacted, That, from and after the passing of this Act, in all Cases where no sufficient Distress can be found upon such Lands whereon to levy the Tax or Taxes, and Penalty which shall be then in Arrear in respect thereof, by virtue of this Act, it shall and may be lawful for the Collector or Collectors of the Taxes appointed or to be appointed in pursuance of this Act, or any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of Two or more of the said Commissioners (which Warrant or Precept such Commissioners, or any Two or more of them, are hereby empowered from Time to Time to make, as Occasion shall require), to levy all and every the said Tax or Taxes, and Penalty, which shall be then in Arrear, upon any Goods or Chattels of any Person or Persons so occupying any Lands chargeable with any such Tax or Taxes, whensoever and where-  
soever



soever such Goods and Chattels shall be found, together with all the Charges of levying the same; and in case no sufficient Distress can be found upon any Goods or Chattels of any such Person or Persons so occupying any of the said Lands chargeable with any such Tax or Taxes, and Penalty, then and so often it shall be lawful for the said Commissioners, or any Two or more of them, by such Warrant or Precept as aforesaid, to levy all and every the said Tax or Taxes, and Penalty, which shall be then in Arrear, upon any Goods or Chattels of any Person or Persons owning any such Lands or Grounds, whensoever and wheresoever the same shall be found, together with all the Charges of levying the same.

XLVII. And whereas it may sometimes happen that some of the Lands and Grounds in the said District may be untenanted or unoccupied for a considerable Time, and that no Distress can be taken thereon for levying the Rates or Taxes due in respect of the same; therefore, for enforcing the Payment thereof in all such Cases, be it further enacted, That where any of the said Rates or Taxes shall be in Arrear and unpaid by the Space of Twelve Calendar Months together, and no sufficient Distress can be found upon the Lands and Grounds charged therewith, or upon the Goods or Chattels of any Person or Persons owning or occupying the same, or where the said Lands and Grounds shall be untenanted, then and in every such Case the said Commissioners, at any of their Meetings, shall have full Power and Authority to let to the best Bidder or Bidders, by publick Auction, so much of the said Lands and Grounds upon which any Rate or Tax shall be so in Arrear, as they the said Commissioners shall judge sufficient, for such Term or Terms of Years, at such Rent and Rents, Fine or Fines, Premium or Premiums, and upon such Terms and Conditions, as to them the said Commissioners shall seem meet; and to apply the Rent or Rents, Fine or Fines, Premium or Premiums, arising therefrom, in Payment and Discharge of all such Rates and Taxes, and the Penalties incurred for Non payment thereof, and also the Costs, Charges, and Expences of advertising and letting the said Lands or Grounds as aforesaid; and where any of the said Taxes shall be in Arrear and unpaid by the Space of One Year together, and no sufficient Distress can be found upon the Lands and Grounds charged therewith, or upon the Goods or Chattels of any Person or Persons owning or occupying the same, or where the said Lands and Grounds shall be untenanted, then and in every such Case the said Commissioners, at any of their said Meetings, shall have full Power and Authority to sell to the best Bidder or Bidders, by publick Auction, so much of the said Lands and Grounds upon which any Tax shall be so in Arrear, as they the said Commissioners shall judge sufficient to raise such Taxes, and the Penalties incurred for Non-payment thereof, and also the Costs, Charges, and Expences of advertising and selling the said Lands or Grounds as aforesaid, by Writing under the Hands and Seals of Five or more of the said Commissioners; and the Person or Persons to whom such Sale shall be made shall be a lawful Purchaser and Assignee of so much of the said Lands and Grounds as shall be so sold, to all Intents and Purposes whatsoever.

Lands may be  
let or sold for  
Payment of  
Taxes.

XLVIII. And be it further enacted, That the said Commissioners shall cause Notice to be given to the Owner or Proprietor, Owners or Proprietors of the Lands so to be let or sold, by leaving the same at his, her, or

For giving  
Notice to  
Owners of  
Lands to be  
let or sold.

[Loc. & Per.]

3 C



or their usual or last Place or Places of Abode, if such Place or Places of Abode be known to the Commissioners, and shall also give publick Notice Three Weeks successively in the *Cambridge Newspaper*, or some other publick Newspaper usually circulated in the said County of *Huntingdon*.

Lands let to  
revert to the  
Owners after  
Satisfaction  
of Taxes and  
Penalty.

XLIX. Provided always, That in all Cases where any Lands or Grounds shall, by virtue of the Provisions herein-before contained, be let by the said Commissioners, for the Recovery of the Taxes and Penalties due thereon, such Lands and Grounds shall, after the Expiration of the Term for which the same shall be so let, and the Payment of the said Taxes and Penalties, and all Expences incurred by the said Commissioners, or their Collectors, Receivers, or Agents, relating to the letting of the said Lands (and which Expences they the said Commissioners, or their Collectors, Receivers, or Agents, are hereby authorized and required to raise out of any such Rent or Rents, Fine or Fines, Premium or Premiums, arising and received from or in respect of such Lands and Grounds) revert to the original Owner and Owners, Proprietor and Proprietors thereof, and be as fully and effectually vested in him, her, or them, to all Intents and Purposes whatsoever, as if such Lands or Grounds had never been let by the said Commissioners.

Lands sold  
or let to be  
subject to the  
Corporation  
Tax as before.

L. Provided also, That nothing contained in the Proviso hereby given to the Commissioners to let or sell the Lands for the Non-payment of the Taxes imposed by this Act shall extend or be construed to extend to exonerate or discharge any Tax or Taxes that are or may be imposed by virtue of an Act, made in the Fifteenth Year of the Reign of King *Charles the Second*, intituled, *An Act for settling the Draining of the Great Level of the Fens calle Bedford Level*; but that all Hirers and Purchasers thereof shall have and enjoy the said Lands subject thereto.

Schedule of  
Lands to be  
let or sold, to  
be affixed on  
the Church  
Doors.

LI. Provided also, That the said Commissioners shall cause a Schedule of the Lands so to be let or sold for Taxes in Arrear, to be affixed upon the Church Doors of the Parishes where the said Lands shall lie, Three successive *Sundays* before the Day of Letting or Sale.

Distress not  
unlawful for  
want of Form.

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

Owners of  
Lands giving  
Notice of  
their Inten-  
tion to relin-  
quish any

LIII. And be it further enacted, That if any Owner or Proprietor of any of the said Fen Lands and Low Grounds, lying within the District aforesaid, shall, by Writing under his or her Hand, give Notice to the said Commissioners, or to their Treasurer or Clerk for the Time being,  
of



of his or her Intention to relinquish and give up any of the said Fen Lands and Low Grounds into the Hands of the said Commissioners, in order to be exonerated from the Taxes and Penalties payable in respect thereof, that then and in such Case every such Person shall, from the Delivery of such Notice, be wholly exempt from the Payment of all Taxes and Penalties in respect of the said Fen Lands and Low Grounds specified in the said Notice, and then and from thenceforth all Proceedings taken by the said Commissioners, or any of their Collectors, Receivers, or Agents, against any Person or Persons whomsoever, or against his, her, or their Stock, Cattle, or Effects, for the Recovery thereof, the said Taxes and Penalties so in Arrear, in respect of the said Fen Lands and Low Grounds so specified in the said Notice shall be null and void; and it shall and may be lawful for the said Commissioners immediately after the Delivery of such Notice as aforesaid, to let or sell, by publick Auction, all and every the said Fen Lands and Low Grounds so specified in the said Notice, to any Person or Persons whomsoever, at the Discretion of them the said Commissioners, and to apply the Monies arising from such Letting or Sale for the Purposes of this Act.

Lands, shall be exempted from Payment of the Taxes and Penalties in respect thereof; and Commissioners may in such Case immediately proceed to let or sell such Lands so relinquished.

LIV. And be it further enacted, That it shall and may be lawful for the said Commissioners assembled at the First Meeting to be holden after the passing of this Act, or at any General Half-yearly Meeting, and they are hereby empowered from Time to Time to borrow any Sum or Sums of Money, not exceeding in the Whole Three thousand Pounds, which they shall think necessary for the Purposes of this Act, and by Writing under their Hands and Seals to assign over the said Rates or Taxes imposed or to be imposed on all the said Fen Lands and Low Grounds by virtue of this Act, as a Security for the Repayment of such Sum and Sums, with Interest for the same, to the Person or Persons who shall advance and lend the same, or to his, her, or their Executors, Administrators, or Assigns; and all and every such Person and Persons to whom any such Mortgage or Assignment thereof shall be made, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on the said Taxes, and shall have no Preference in respect to the Priority of advancing any such Sum or Sums of Money; and that every such Mortgage or Assignment shall be made for the Sum of One hundred Pounds only.

Commissioners may borrow Money on Credit of the Taxes.

LV. And be it further enacted, That all such Mortgages or Assignments shall be in the Words or to the Effect following:

Form of Securities.

‘ BY virtue of an Act of Parliament, made in the Forty-fourth Year  
 ‘ of the Reign of King *George* the Third, intituled, *An Act* [set  
 ‘ forth the Title of the Act] we, whose Names are hereunto subscribed  
 ‘ and Seals affixed, being Commissioners acting in Execution of the said  
 ‘ Act, in Consideration of the Sum of \_\_\_\_\_ to us in Hand  
 ‘ paid by *A. B.*, do hereby grant, bargain, sell, and demise unto the  
 ‘ said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates and Taxes arising by virtue of the said Act within  
 ‘ the said District, as the said Sum of \_\_\_\_\_ doth or shall  
 ‘ bear to the whole Sum advanced or to be advanced on the Credit of  
 ‘ the said Act, to be had and holden from this \_\_\_\_\_ Day of  
 ‘ \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ until the  
 ‘ \_\_\_\_\_ said



the said Sum of \_\_\_\_\_ with Interest after the Rate of \_\_\_\_\_  
 per Centum per Annum, shall be repaid and satisfied. Given  
 under our Hands and Seals, this \_\_\_\_\_ Day of \_\_\_\_\_ in the  
 Year of our Lord \_\_\_\_\_

Copies of  
Mortgages to  
be entered.

Transfer of  
Mortgages.

And Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Commissioners, and which Book or Books shall and may, at all seasonable Times, be perused and inspected by all Persons whomsoever, for which Inspection and Perusal the Sum of Two Shillings and Sixpence shall be paid and no more; and all Mortgages or Assignments which shall be made in the Manner and Form, or to the Effect aforesaid, shall be good, valid, and effectual, to all Intents and Purposes; and all Persons to whom any such Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time assign and transfer the same Security or Securities, and all Benefit and Advantage thereof, and all their Right, Title, and Interest, to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever, by Writing under their Hands and Seals, in the Words or to the Effect following:

I \_\_\_\_\_ being entitled to the Sum of \_\_\_\_\_ secured to  
 \_\_\_\_\_ Executors, Administrators, and Assigns, by virtue of a  
 Mortgage or Assignment bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_  
 under the Hands and Seals of \_\_\_\_\_ of the  
 \_\_\_\_\_ of the said District, acting in Execution of a cer-  
 tain Act of Parliament, made in the Forty-fourth Year of the Reign  
 of King George the Third, intituled, *An Act [set forth the Title of the  
 Act]*, do hereby transfer all my Right and Title in and to the same,  
 and all the Principal and Interest Money now due and owing thereon,  
 unto \_\_\_\_\_ his Executors, Administrators, and Assigns. Dated this  
 \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_

Notice of  
Transfers to  
be given to  
the Clerk.

And every such Transfer shall be produced and notified to the Clerk to the said Commissioners, within Three Calendar Months next after the Date thereof, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books to be kept for entering the said original Mortgages or Assignments, and for which Entry the said Clerk shall be paid Two Shillings and Sixpence, and no more; and after such Entry made, every such Transfer shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and the Payment thereon; and it shall not be in the Power of any Person or Persons making such Transfer to make void, release, or discharge the same, or the Monies thereby due, or any Part thereof.

Taxes charged  
with the  
Principal  
Monies and  
vested in the  
Creditors.

LVI. And be it further enacted, That the said Rates or Taxes intended to be imposed on all the said Fen Lands and Low Grounds to be made by virtue of this Act, shall be charged and chargeable with the Payment of the Principal Monies to be borrowed by the said Commissioners as aforesaid, and with the Interest of such Monies from Time to Time, and shall vest in the Creditors upon Default of Payment of such Principal Money



Money and Interest, until the same and every Part thereof shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators, or Assigns respectively, shall have the same Powers, Right, and Privileges of recovering the said Taxes for or in respect of such Principal Monies and Interest, in case of Default in Payment thereof, as the said Commissioners, and their Collectors and Receivers, could have had in case such Principal Monies and Interest had been regularly paid.

LVII. And be it further enacted, That if it shall happen that the said Fen Lands and Low Grounds shall, after the passing of this Act, be so overflowed and inundated with Water, that the Works hereby directed to be done cannot be begun or completed, or in case any Money exceeding the Sum of Fifty Pounds shall at any Time appear to remain upon Balance of the yearly Accounts in the Hands of the Treasurer to the said Commissioners, that then and in every such Case the said Commissioners are hereby authorized and empowered to lay out and invest the Monies hereby directed to be raised and levied by the Taxes, and also the Money so remaining in the Hands of the Treasurer as aforesaid, at Interest, in Navy, Victualling, or Exchequer Bills, as they the said Commissioners shall think proper, until such Time as the said Works can be begun or completed, or until such Balance shall be required for the Purposes of this Act, and shall from Time to Time buy in and sell out, or invest the same, and receive the Interest arising therefrom, as often as they shall think proper, or Occasion shall be and require; and that the Interest arising from such Navy, Victualling, or Exchequer Bills, and the Money received for the same, as they shall respectively be paid off by Government, shall be laid out in the Purchase of other Navy, Victualling, or Exchequer Bills, as before directed; and that the said Commissioners, or the said Treasurer, shall not be answerable or accountable for any Loss that may arise or happen, unless by their or his wilful Neglect or Default.

If Lands are inundated, and the Works cannot be begun or completed, Money raised to be laid out at Interest, etc.

LVIII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously burn, cut, throw down, break down, or otherwise injure or destroy any Bank, Mill Hill, Mill Engine, Flood Gate, Tunnel or Sluice, or any other Works already erected, supported, maintained, or used, or which shall at any Time or Times hereafter be making or erecting, or be made, erected, supported, maintained, or used, or shall obstruct any Person or Persons employed in making or erecting the same, by virtue of this Act, for draining and preserving the Fen Lands and Low Grounds within the said District, every Person so offending, and being thereof convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by or before whom such Person shall be tried and convicted, shall hereby have Power and Authority to cause such Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or in Mitigation of such Punishment such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petty Larceny: Provided always, that nothing herein contained shall be construed to obstruct any ancient Roadway heretofore used, or to prevent any Person or Persons from conveying Turf, or otherwise from getting into any Lands adjoining the said Drove-way, called *Uggmeer Cote Grove*.

Penalty on destroying Works.



Penalty on  
turning Hogs  
on the Banks.

LIX. And be it further enacted, That if any Hogs or Swine shall, at any Time after the passing of this Act, be found upon the said Banks, or any of them, the Owner or Owners of such Hogs or Swine shall forfeit and pay, for every such Hog or Swine so found on any of the said Banks, the Sum of Ten Shillings for every Time such Hogs or Swine shall be so found thereon.

To limit the  
digging of  
Turf.

LX. And whereas the Proprietors and Occupiers of Fen Lands frequently dig, or cause the same to be dug into Turf, whereby the said Lands are rendered of little or no Value, and often remain unoccupied for many Years afterwards, so that no Taxes can be levied thereupon, to the manifest Damage of the other Proprietors, and also of the Creditors who may lend their Money upon the Credit of those Taxes; wherefore, for preventing such Injury, and for the better Security of the Creditors of the said District, be it further enacted, That it shall not be lawful for any Person or Persons whomsoever, to dig or cause to be dug, within the said District, more than Five hundred Hods, Turves, or Sesses, for every Acre of which he or they shall be Owners or Occupiers; and that no Person or Persons shall be allowed to dig or cut in the Whole (be the Quantity of his Land what it may) in One Year more than Twenty-five thousand of such Turves, Hods, or Sesses, under the Penalty of Five Pounds *per* One Thousand, to be levied upon the Goods, Chattels, or Cattle of the Owner or Occupier of such Land or Ground, or of the Person or Persons so digging the same, wherever such Goods, Chattels, or Cattle shall be found: Provided always, that nothing herein contained shall extend, or be construed to extend, to authorize or empower any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, to dig or cause to be dug any Hods, Turves, or Sesses, further or otherwise than as such Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, are by any Law or Laws, Custom or Customs, now in Force and Effect, authorized and empowered to dig any such Hods, Turves, or Sesses.

Penalty on  
Persons dis-  
charging  
Water by  
any Engine,  
except into  
the River  
*Nene*, &c.

LXI. And be it further enacted, That if any Person or Persons shall erect, set up, use, or work, any Horse, Mill, Gig, or other Engine or Device whatsoever, for draining or discharging Water from any Lands in the said District, through or upon the Lands of any other Person or Persons within such District, or in any other Manner than directly and immediately from the Lands of the respective Owners of such Mill, Gig, Engine, or Device, into the said River *Nene*, or the said River or Cut, called *The Bill Load*, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds for every Day such Mill, Gig, Engine, or Device, shall be so continued or repeated, to any Person who will sue for the same; and the Owner of such Mill, Gig, Engine, or Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage done, or that such Person or Persons shall thereby sustain; and such Penalty, Compensation, and Satisfaction, shall be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, in which no *Essoign*, Protection, Privilege, or Writ of Law, or more than One Imparlane, shall be allowed.

Restrictions  
as to plant-  
ing Trees or

LXII. And be it further enacted, That no Trees or Holts shall at any Time or Times hereafter be planted, nor any Buildings be placed, erected,  
or



or built (except by the Order and Permission of the said Commissioners) nearer to any Mill or Engine made or to be made, erected, or employed for the Purposes of this Act, than Three hundred Yards; and if any Trees or Holts shall hereafter be planted, or any Building made, erected, or built, within the said Distance, and such Trees or Holts shall not be taken up and carried away, or such Buildings be pulled down and removed, within the Space of Ten Days after Notice for that Purpose, by Order of the said Commissioners, or any Three or more of them, be given to the Owner or Proprietor of the Land or Ground where such Trees, Holts, or Buildings respectively shall be left at his or her last or usual Place of Abode, or with the Tenant in Possession of the Premises, then and in every such Case it shall and may be lawful for the said Commissioners, or any Three or more of them, by Warrant under their Hands and Seals, to cause such Trees and Holts to be taken and carried away, and such Buildings to be pulled down and removed, immediately after the Expiration of the Notice so given for that Purpose; and the Costs and Expences thereby incurred shall be reimbursed to the said Commissioners, by the Person or Persons who committed the Offence, and may be recovered by Distress and Sale of his, her, or their Goods, Chattels, and Stock, wherever the same shall be found, by Warrant under the Hands and Seals of any Three of the said Commissioners.

Holts, erect-  
ing Buildings  
cutting  
Dyke near  
fences and  
Banks.

LXIII. And be it further enacted, That if any Person or Persons shall set any Net or Nets, Tunnel or Tunnels, or any other Engine or Device whatsoever, for the catching of Fish (otherwise than herein specified and directed, or for any other Purpose, in or against any of the Dikes, Ditches, Drains, or Tunnels belonging to the said Fen Lands and Low Grounds, or do any other Act whatsoever whereby to impede or obstruct the same, every such Person or Persons so offending in any or either of the Cases aforesaid, and being thereof convicted before Two Justices of the Peace for the County of *Huntingdon* (who are hereby authorized and required to hear and determine the same on the Oath of One or more credible Witness or Witnesses, or on the Confession of the Party or Parties so offending), shall for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Five Pounds nor less than Forty Shillings, as the said Justices shall respectively order and direct, to be paid to the said Commissioners, and applied for the Purposes for which the said Assessments, Rates, and Taxes, are hereby directed to be applied, and to be levied by Distress and Sale of the Goods and Chattels of all and every such Offender or Offenders, by Warrant under the Hands and Seals of the said Justices; and in Default of such Payment or Distress, the Person or Persons so offending shall be committed by such Justices to the House of Correction, there to be kept to hard Labour for such Time as the said Justices shall respectively order and direct, not exceeding Three Calendar Months nor less than Thirty Days, at the Discretion of the said Justices.

Penalty on  
setting Nets,  
etc. in the  
Dikes.

LXIV. And be it further enacted, That the said Commissioners shall cause all the Thistles and Weeds which shall arise or grow upon or in any Bank, Drove, or Waste, within the Limits of this Act, to be mowed, cut down, and destroyed, as often as they shall deem necessary, and that they shall and may make such Allowances and Payments for that Purpose, out of the Monies to arise by virtue of this Act, as they shall think proper.

Thistles, &c.  
to be mowed.

LXV. And



Power to  
catch and  
destroy Moles,  
*etc.*

LXV. And be it further enacted, That the said Commissioners, and their Collector, Treasurer, or other Officers, shall have full Power, and they are hereby authorized to destroy all such Moles and other Vermin as shall be found in and about the said Fen Lands and Low Grounds, the Drainage whereof is intended to be preserved or made under the Authority of this Act, and also in and about the Lands and Banks adjoining or lying near thereto, and for that Purpose to employ such Person or Persons, at such Wages and Salary, as they shall think proper; and that they, and such Person or Persons as they shall so employ, shall and lawfully may enter into and upon the said Lands and Banks, or any or either of them, for that Purpose.

To prevent  
burning  
Banks.

LXVI. And be it further enacted, That if any Person or Persons who shall be employed in burning any of the Lands or Grounds within the Limits aforesaid shall carelessly or wilfully set fire to and burn, or cause to be fired or burned, any of the Banks lying near or adjoining to any of the said Fen Lands or Low Grounds, so as such Banks be by Means of such Fire destroyed or damaged, such Person or Persons being thereof lawfully convicted, by the Oath of One or more credible Witness or Witnesses, or by Confession, before any One or more Justice or Justices of the Peace for the said County of *Huntingdon*, not interested within the Limits aforesaid (which Oath such Justice or Justices is and are hereby empowered and required to administer, and also to hear and determine the said Offence), shall give and make such Satisfaction and Recompence to the said Commissioners for Damage done to the said Banks, as such Justice or Justices shall think reasonable, such Satisfaction and Recompence to be paid by such Offender or Offenders within such Time as by such Justice or Justices shall be ordered or appointed, into the Hands of the Receiver, Collector, or Treasurer for the Time being, to be appointed by virtue of this Act, to be applied for and towards the repairing and amending such Banks; and in case of Non-payment thereof, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices before whom such Conviction shall be made; and for Want of sufficient Distress, such Offender or Offenders shall, by such Justice or Justices, be committed to the Common Gaol for the said County, for such Time or Times as such Justice or Justices shall order and direct, not exceeding Three Calendar Months, or until such Damage or Recompence shall be paid.

To prevent  
digging Soke  
Ditches, *etc.*  
near Banks.

LXVII. And be it further enacted, That if any Person or Persons shall make or cause to be made any Soke Dike or Ditch, in and upon any of the said Fen Lands and Low Grounds, within the Distance of Twenty Feet from any Bank now made or hereafter to be made by virtue of this Act, within the Limits aforesaid, every such Person so offending shall forfeit for every such Offence the Sum of Three-pence for every Foot in Length of such Soke Dike, and after the same Rate for every Month such Soke Dike shall remain unfilled, after Notice given by the Clerk or Agent to the said Commissioners to such Person or Persons who shall have dug or caused to be dug the same; and the said Commissioners shall have full Power at any Time, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Lands wherein such Soke or Soke Dike shall be made, to fill up and level the same; all which For-

feitures



feitures shall, upon Conviction of the Offender or Offenders before any One or more Justice or Justices of the Peace for the said County of *Huntingdon*, not interested in the said Fen Lands or Low Grounds, upon the Oath of One or more credible Witness or Witnesses, (which Oath the said Justice or Justices is and are hereby required and empowered to administer, and also to hear and determine the said Offences,) be immediately paid into the Hands of the said Collector, Receiver, or Treasurer of the said Taxes, to be applied for carrying on the Works of the said Drainage; and in case of Non-payment thereof, such Forfeitures shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices of the Peace before whom such Conviction shall be made; and for Want of sufficient Distress, such Offenders shall, by such Justice or Justices, be committed to the Common Gaol of the said County of *Huntingdon*, for such Time as such Justice or Justices shall order and direct, not exceeding Three Calendar Months.

LXVIII. And be it further enacted, That all Owners and Occupiers of Lands, lying and being within the said District, shall, from Time to Time and at all Times hereafter, keep or cause to be kept all the Outring or Division Dikes or Drains belonging to them respectively, of a sufficient Depth, and of the Breadth or Width of Nine Feet at the least, and shall also from Time to Time, and at all Times hereafter, cause the same Drains or Dikes to be well and effectually roaded, scoured, and cleansed from Weeds, and other Rubbish and Obstructions, and cause proper Tunnels to be laid therein where necessary, for the better issuing, running, and conveying the Waters therein; and if any Owner or Occupier shall not, within Fourteen Days next after Notice and Direction in that Behalf in Writing, under the Hands of Three or more of the Commissioners for Drainage for the said District where such Lands lie respectively, shall be given to him or her, or affixed on some conspicuous Part of *Ramsay* Bridge, (in case such Place of Abode be above the Distance of Seven Miles from such Lands, or shall not be known,) cause and procure such Drains or Dikes to be roaded, scoured, cleansed, deepened, and widened respectively, and such Tunnels to be laid in pursuance of and according to such Notice and Direction, the said Commissioners, or any Three or more of them, shall and may and they are hereby authorized and empowered to cause the same to be done in a proper and effectual Manner, and by Warrant or Precept under their Hands and Seals, or the Hands and Seals of any Three or more of them, to authorize and empower their Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, or any other Person or Persons, to levy and raise the Charge and Expence of doing thereof, by Distress and Sale of such Goods and Chattels as shall at any Time thereafter be found on the Lands to which such Drains or Dikes, Bridges or Tunnels, shall appertain or belong, rendering the Overplus (if any) to the Owner or Owners thereof; and every such Owner or Owners, or Occupier or Occupiers, for every such Neglect, shall forfeit the Sum of Three-pence for every Rod of the Drain or Dike so neglected to be deepened, widened, scoured, or cleansed.

LXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to dig and take away any Earth or other Materials in any Common Lands and Waste Grounds within any Parish

Commissioners may dig Earth in the Wastes.

[Loc. & Per.]

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in



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; and in case there shall be no Common Lands or Waste Grounds within any of the said Parishes, where such Earth or Materials can be procured, it shall and may be lawful to and for the said Commissioners to purchase and procure Highland Earth for such Purposes.

Commissioners to let Mill Drains for Fishing.

LXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any of their Half-yearly Meetings, or at any Adjournment thereof, from Time to Time to let, in such Lot or Lots, and in such Manner, and at such Rent or Rents, Fine or Fines, and upon such Terms, and under such Rules and Regulations, as they may think proper, the several Mill Drain or Drains, made under the Authority of this Act, for the Purpose of Fishing, and the Person or Persons hiring the same shall have the exclusive Benefit of such Fishing; and the Rents and Profits arising therefrom shall be paid and applied in the same Manner as the Taxes to be raised by virtue of this Act are herein directed to be applied: Provided always, that the said several Drains so to be let shall not be used at such Times and Seasons when the several Mill or Mills shall be employed in discharging Water therefrom.

Mills to be insured.

LXXI. And be it further enacted, That the said Commissioners shall cause each and every Mill and Mills which shall be erected or employed by virtue of this Act to be insured against Fire at the Publick Office or Offices, and from Time to Time to pay the Expence attending such Insurances out of the Monies arising by virtue of this Act in or upon Account of such District.

Commissioners to make Orders for opening and shutting down Tunnels and Sluices, and to appoint Officers for that Purpose.

LXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to appoint One or more Officer or Officers for the Purpose of opening and shutting down the Tunnels and Sluices already set down or to be set down, and made use of for the Purpose of admitting Water from any River through the Bank against the same, for the Benefit of Cattle, or otherwise, in the Execution of this Act; and it shall and may be lawful to and for the said Commissioners to make such Order or Orders, touching the opening or shutting down of the said Tunnels and Sluices, as they shall think proper; and if the said Officer or Officers, or the Person or Persons acting by or under his or their Authority, shall open or shut down any of the said Tunnels and Sluices, or any of them, every such Officer and other Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, nor less than Forty Shillings.

Penalty on opening or shutting down Tunnels or Sluices contrary to Orders.

Penalty on cutting Turves, &c. near the Banks.

LXXIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter cut or dig, or cause to be cut or dug, any Turves, Hods, or Sesses, within the Distance of Sixty Feet of any of the Banks to be made and thrown up by virtue of this Act, or of any of the Soke Dikes within the Limits of the Lands and Grounds to be drained by virtue of this Act, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Ten Pounds for every One thousand Turves so cut or dug as aforesaid.

LXIV. And



LXXIV. And be it further enacted, That the Master or Owner of every Boat, Barge, Lighter, or other Vessel, navigating within the Limits of the said District, shall, and he, she, and they is and are hereby made answerable for any Trespass, Damage, Spoil, or Mischief, that shall be done by such Boat, Barge, Lighter, or other Vessel, or by any of the Boatmen, Bargemen, Watermen, or other Person or Persons belonging to or employed in or about the same respectively, to any of the Buildings, Bridges, Banks, Locks, Basons, Dams, Mills, or other Works, erected, maintained, or repaired, or erecting or to be erected, maintained, or repaired, by virtue of this Act, either by the loading or unloading of any Boat, Barge, Lighter, or other Vessel, and shall, for every such Trespass, Damage, Spoil, or Mischief, upon Conviction of any such Boatman, Bargeman, Waterman, and other Person or Persons, before any Justice of the Peace for the County of *Huntingdon*, on the Oath of any credible Witness or Witnesses, (which Oath such Justice is hereby authorized and required to administer), or on the Confession of the Party or Parties offending, forfeit and pay to the Party or Parties injured such Damages, Satisfaction, and Compensation, as shall be ascertained, fixed, and determined by such Justice, (provided that such Damages do not exceed the Sum of Ten Pounds,) and shall also, over and above, forfeit and pay to the Informer or Informers any Sum not exceeding Forty Shillings, to be settled and determined by such Justice; but in case such Damages shall exceed the Sum of Ten Pounds, the said Master or Owner of such Boat, Barge, Lighter, or other Vessel, may be sued and prosecuted for such Damages, Satisfaction, and Compensation, in any of His Majesty's Courts of Record; and if a Verdict or Judgement shall be given against him or her, either on Proof made, or by Default, or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit.

Owners accountable for Damages done by the Boatmen.

LXXV. Provided always, and be it enacted, That such Boatman, Bargeman, and other Person or Persons, and each and every of them, shall be liable to repay such Damages, Satisfaction, and Compensation, and Penalty, so ascertained, fixed, and determined by such Justice, with the Costs of levying and recovering thereof, to such Master or Masters, Owner or Owners; and in case of Non-payment thereof upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them, of such Damages, Satisfaction, Compensation, or Penalty, and that the same, and the Costs thereof, have or hath not been repaid to him, her, or them, by such Servants, Boatmen, Bargemen, or Watermen, or any of them, although demanded (such Oath to be made before any One Justice of the Peace for the County where such Penalty and Satisfaction shall have been incurred) the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

Masters to recover from Boatmen.

LXXVI. And be it further enacted, That all such Monies, as shall be advanced and paid by any Person or Persons whomsoever for the Fees and other Expences in obtaining and passing this Act, shall be repaid and satisfied by the said Commissioners, with lawful Interest for the same, out of the First Monies to be raised by them by virtue of this Act.

Money advanced to be repaid with Interest.

LXXVII. And be it further enacted, That all Fines, Penalties, and Forfeitures, inflicted by this Act, (the levying and recovering whereof is

Fines and Forfeitures.

or



or are not particularly herein directed,) shall, in case of Non-payment thereof, on Conviction of the Offenders respectively, on his, her, or their Confession, or on the Evidence of any One or more credible Witnesses or Witneses, before any Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed, or the Offender shall be or reside, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice or Justices; and every such Justice or Justices is and are hereby authorized and required to examine Witnesses upon Oath, and hear and determine the same; and all such Fines, Forfeitures, and Penalties, (the Application whereof is not herein particularly directed,) shall be paid into the Hands of the Clerk or Treasurer to the said Commissioners, and shall be applied and disposed of for the Purposes of this Act; and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for Want of sufficient Distress, and in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall be lawful for the said Justice, by Warrant under his Hand and Seal, to commit every such Offender to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Twelve Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of  
Conviction.

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

‘ **B**E it remembered, That on the Day of  
 ‘ in the Year of our Lord  
 ‘ is convicted before of His Majesty’s  
 ‘ Justices for the County of [specifying the Offence, and  
 ‘ *Time and Place when and where committed, as the Case may be]* contrary  
 ‘ to an Act of Parliament, passed in the Forty-fourth Year of the Reign  
 ‘ of King George the Third, intituled, *An Act [here set forth the Title of*  
 ‘ *the Act]*. Given under my Hand and Seal [*or, our Hands and Seals*]  
 ‘ the Day and Year first abovementioned.’

Persons ag-  
grieved may  
appeal to the  
Quarter Ses-  
sions.

LXXIX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done in pursuance of this Act, then and in such Case he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions to be holden in and for the County in which the Cause of Appeal shall arise (first giving to the Person or Persons appealed against, or to the Clerk to the said Commissioners, in case the Appeal shall be made against any Act or Determination of the said Commissioners, Ten Days Notice in Writing of such Appeal, and of the Nature thereof, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order and Award of the said Court



Court thereon); and the said Justices shall, upon due Proof of such Notice and Recognizance having been given and entered into, either hear and determine the said Appeal at such General Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be holden for such County; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary notwithstanding.

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

LXXX. And be it further enacted, That if any Action, Suit, or Information shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and shall be laid or brought in the County of *Huntingdon*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and if in Replevin, may justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do, and may give this Act and the special Matter in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon, and that the Fact alleged in such Action or Suit to have been done, was done in pursuance of and by Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuited, or forbear Prosecution, or discontinue his, her, or their Suit or Suits; or if any Verdict shall pass against him, her, or them, upon a Demurrer or otherwise, then and in any of the said Cases the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, for which he, she, or they shall have like Remedy as where Costs by Law are awarded.

Limitation of  
Actions.

General Issue.

Treble Costs.

LXXXI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if the Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs not  
to recover  
after Tender  
of Amends.

LXXXII. Provided always, and be it further enacted, That this Act, nor any Thing herein contained, shall not extend, or be construed

Preserving  
Rights of the  
Corporation  
of *Bedford*  
*Levul*.

[*Loc. & Per.*]

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strued



strued to extend, to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, and Authorities vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*, or in the said Governors, Bailiffs, and Conservators, by virtue of an Act, made in the Fifteenth Year of the Reign of King *Charles the Second*, intituled, *An Act for settling the Draining of the Great Level of the Fens, called Bedford Level*, or by virtue of any other Act or Statute whatsoever; but that all Rights, Powers, and Authorities whatsoever, which, by virtue of the said Act of the Fifteenth of King *Charles the Second*, or of any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be in the said Governor, Bailiffs, and Commonalty, and in the said Governor, Bailiffs, and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Rights of  
Lords of  
Manors re-  
served.

LXXXIII. Provided always, and be it further enacted, That all such Right or Rights as any Lord or Lords, Lady or Ladies, of any Manor or Manors, Liberties, Hundred or Half Hundred, have heretofore had, within his, her, or their respective Manor or Manors, Liberties, Hundred or Half Hundred, within or without the said Boundaries, to Waifs, Estrays, Felons Goods, Privileges of Arrests, Escheats, and all Royalties, not prejudicial to draining, be hereby saved to them, their Heirs, Successors, and Assigns, severally and respectively; any Thing in this Act to the contrary thereof notwithstanding.

Publick Act.

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

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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1804,