



**CHAPTER clxxxvii.**

An Act to constitute a drainage district in the Isle of Ely A.D. 1911.  
to incorporate and confer powers upon a Drainage Board  
for that district to make provisions with respect to the  
sewerage of part of the said district to empower the said  
Board to supply water within that part of the said district  
and for other purposes. [16th December 1911.]

**W**HEREAS by an Act of Parliament passed in the twenty- 27 Geo. 2.  
seventh year of King George II. and intituled "An Act c. 19.  
" for discharging the corporation of the governor bailiffs and  
" commonalty of the company of conservators of the Great Level  
" of the fens commonly called Bedford Level from a debt due  
" to the Duke of Bedford and Earl of Lincoln and for enabling  
" the proprietors of lands in the North Level part of the said  
" Great Level to raise money to discharge the proportion of the  
" said North Level in the debts of the said corporation and for  
" ascertaining and appropriating the taxes to be laid on the said  
" North Level and for the more effectual draining and preserving  
" the said North Level and divers lands adjoining thereto in the  
" Manor of Crowland" the lands intended to be drained under  
that Act were divided into five districts therein respectively  
named the First Second Third Fourth and Fifth Districts of the  
North Level and it was enacted that the third of the said districts  
(hereinafter referred to as "the Third District") should contain  
the lordship of Thorney which was in the said Act described  
as being bounded on the west by Catwater from Thorney Cross  
to the Old South Eau on the north by the south bank of the  
Old South Eau from the place where Catwater then fell into  
the said Old South Eau to Gold Dyke including the said bank  
on the east in part by Gold Dyke and in part by Knarlake  
and on the south by Thorney Dyke including the said river and

A.D. 1911. drain of Catwater and Thorney Dyke and that the waters of the Third District should run or be conveyed into certain dykes and drains therein mentioned and by them to sea in such manner as should be found most convenient by John Duke of Bedford the sole owner of the said district his heirs and assigns:

And whereas by the said Act commissioners were appointed for the said several districts until the last Monday of June one thousand seven hundred and fifty-five with power to levy rates and taxes on the whole of the North Level for the general purposes of the said Act and more particularly for the purpose of cleansing repairing and building certain drains dykes and premises which were mentioned in the said Act and of building and repairing certain banks dams fences and bridges in or near the same drains dykes and premises but which did not include the drains dykes dams and premises set forth in the Third Schedule to this Act and by this Act vested in the Board hereby constituted (hereinafter referred to as "the Board"):

And whereas the said Act contained provisions as to the appointment of commissioners for the said several districts or divisions to hold office after the said last Monday of June one thousand seven hundred and fifty-five and (inter alia) as regards the Third District it was provided that the said John Duke of Bedford his heirs or assigns or his or their lawful attorney should be and continue a commissioner therefor so long as he or they should be seised or possessed of five hundred acres of land in his or their own right charged with the said taxes within the same and that so many other commissioners of and for the Third District should be annually named and appointed by the said John Duke of Bedford his heirs or assigns and certified under his or their hand or hands to the Commissioners under the said Act at their yearly general meeting as should together with the said John Duke of Bedford his heirs or assigns or his or their attorney make one commissioner for every five hundred acres of land charged with the said taxes within the Third District:

And whereas by the same Act the said John Duke of Bedford his heirs and assigns were authorised from time to time to cleanse widen make cut build erect and support or cause to be cleansed widened made cut built erected and supported all such banks cuts drains dams outlets mills engines and other matters and things within upon and through the Third District for the draining and defending the same and conveying the waters thereof into the several rivers or drains in the said Act

more particularly allotted and appointed for conveying the waters of the Third District to sea as the said John Duke of Bedford his heirs and assigns should think necessary or proper: A.D. 1911.

And whereas by various subsequent Acts additional rights and obligations were conferred and imposed upon the predecessors in title of the Most Noble Herbrand eleventh Duke of Bedford K.G. (hereinafter referred to as "the Duke") and the trustees of the will of Francis seventh Duke of Bedford (hereinafter referred to as "the will trustees") over or in relation to Thorney River Thorney Dyke Gold Dyke and Old Wryde:

And whereas such works matters and things authorised or ordered to be executed and done by the Acts hereinbefore recited or referred to as have been deemed by the Dukes of Bedford for the time being or by their respective trustees or other the owner or owners for the time being of a freehold estate in the lands and premises comprised in the Third District necessary or proper to be executed and done have since the respective dates of the said respective Acts and down to the twenty-ninth day of July one thousand nine hundred and ten been executed and done at the cost and expense of the Dukes of Bedford for the time being or of their respective trustees or of such owner or owners as aforesaid:

And whereas shortly before the first day of January one thousand nine hundred and ten the Duke being then the owner or reputed owner of the properties specified in the First and Third Schedules to this Act and of the other properties by this Act vested in the Board (which properties together comprise part of the said Second District of the North Level and the whole of the Third District except such portions of the Third District as consist of any roads or bridges vested in any local authority or of railway property vested in any railway company or of places of religious worship and their appurtenances wholly exempted from assessment to the poor rate) agreed to sell the properties specified in the said First Schedule or the greater part thereof to various purchasers in fee simple and to transfer to trustees for the said purchasers all the statutory and other water and drainage rights then vested in the will trustees over such last-mentioned properties and to give to the said trustees for the purchasers certain powers and liberties for managing and controlling the irrigation water supply drainage and sewerage of the said properties specified in the First and Third Schedules to this Act and for raising and enforcing payment of all

A.D. 1911. expenses incurred in connection therewith and that the conveyances to such purchasers as aforesaid should contain all such reservations powers provisions and conditions as should be necessary for enabling the Duke to execute such transfer and grant such powers as aforesaid:

And whereas by various indentures dated respectively on or after the first day of January one thousand nine hundred and ten and before the twenty-ninth day of July one thousand nine hundred and ten and expressed to be made between the Duke of the first part Sir Walter Roper Lawrence and the Honourable Victor Alexander Frederick Villiers Russell (the then will trustees) of the second part Rowland Edmund Prothero of the third part and the respective purchaser or purchasers of the other part or parts (which indentures along with other hereinafter recited indentures are more particularly described in the First and Second Parts respectively of the Fifth Schedule to this Act and are along with the said hereinafter recited indentures hereinafter referred to as "the purchase deeds") the greater part of the hereditaments specified in the First Schedule to this Act were in part pursuance of the hereinbefore and thereinbefore recited agreements and for the valuable considerations therein respectively mentioned severally conveyed to such uses as the will trustees their heirs or assigns should thereafter with such consents if any and in exercise of such respective powers as were in that behalf in the clauses of the said respective indentures mentioned and contained respectively appoint and direct and subject thereto to the use of the respective purchasers thereof in fee simple together with and subject to the easements and rights therein mentioned and subject to exceptions and reservations of the messuages rivers dykes droves hereditaments easements and rights specified in the Third Schedule to this Act and with and subject to the covenants powers and provisoes specified in the clauses of the respective purchase deeds:

And whereas by an indenture (hereinafter referred to as "the water deed") dated the twenty-ninth day of July one thousand nine hundred and ten and expressed to be made between the Duke of the first part the will trustees of the second part and Joseph Topham William Horrell Stephen Rowland Foreman Richard Edward Dowse Robert Thomas Smith John Edward Morton George Lever Morris Arthur Gee Thomas Gee and Lawrance Clapham (thereinafter called the commissioners and hereinafter called "the private commissioners")

which last-mentioned expression includes the commissioners appointed under the water deed before the commencement of this Act) of the third part the Duke and the will trustees in further pursuance of the thereinbefore and hereinbefore recited agreements conveyed and confirmed the messuages rivers dykes droves hereditaments and premises therein mentioned together with the liberties privileges easements rights and advantages also therein mentioned (which messuages rivers dykes droves liberties privileges easements rights advantages and premises comprised all the sewerage works and waterworks respectively vested in the Board by Parts IV. and V. of this Act and all the premises specified in the Third Schedule to this Act and vested in the Board by Part III. of this Act) or together with such of the above-mentioned liberties privileges easements rights and advantages as were capable of being conveyed either along with the lands and premises thereby expressed to be thereby conveyed or separately therefrom to the use of the private commissioners their heirs and assigns upon the trusts and with and subject to the powers provisoes declarations and agreements declared and expressed of and concerning the same in the clauses contained therein:

A.D. 1911.

And whereas in pursuance of the provisions in that behalf of such of the purchase deeds as are specified in the First Part of the Fifth Schedule to this Act the water deed empowered the private commissioners to take and receive certain yearly rentcharges out of and charged on the lands and premises specified in the First and Second Parts respectively of the First Schedule to this Act and to be held by the commissioners their heirs and assigns upon the trusts and with and subject to the powers provisoes declarations and agreements declared and expressed of and concerning the same in the clauses thereafter contained:

And whereas in further pursuance of the same provisions the water deed appointed the private commissioners attorneys of the Duke the will trustees and the purchasers and of persons claiming through or under them to deal with bring actions and contract in respect of and control and exercise in their behalf such of the same liberties privileges easements rights and advantages as were not effectually thereby conveyed:

And whereas the water deed contained clauses whereby trusts were declared and powers were conferred upon with and subject to which the private commissioners should hold the

A.D. 1911. said lands rentcharges and premises and should exercise the said powers of attorney so conferred on them as aforesaid and regulate and control the said water and other rights and easements and provision was made for the election and appointment from time to time of new private commissioners and with respect to other matters but all the said trusts and powers unless previously determined under the provisions of or renewed in manner mentioned in the water deed were thereby made determinable upon the expiration of twenty-one years after the death of the survivor of the descendants then living of Her late Majesty Queen Victoria :

And whereas by various other indentures dated subsequently to the twenty-ninth day of July one thousand nine hundred and ten and expressed to be made between the Duke of the first part the will trustees of the second part Rowland Edmund Prothero of the third part and the respective purchaser or purchasers of the other part or parts further parts of the hereditaments specified in the First Schedule to this Act were in further pursuance of the hereinbefore and thereinbefore recited agreements and for the valuable considerations therein respectively mentioned severally conveyed subject to the uses trusts powers and provisoes declared by or contained in the water deed to such uses as the will trustees their heirs or assigns should thereafter with such consents (if any) and in exercise of such respective powers as were in that behalf in the clauses of the said respective indentures mentioned and contained respectively appoint and direct and subject thereto to the use of the respective purchasers thereof in fee simple together with and subject to the easements and rights therein mentioned and with and subject to the covenants powers and provisoes specified in the clauses of the respective purchase deeds :

And whereas by deed poll dated the thirtieth day of March one thousand nine hundred and eleven under the respective hands and seals of the Duke the Most Honourable William Sackville Russell commonly known as the Marquis of Tavistock and the will trustees (hereinafter referred to as "the grantors") which deed poll was also executed by the Ecclesiastical Commissioners and by the Reverend William Symons as the vicar of the parish of Thorney the grantors granted and conveyed to the Ecclesiastical Commissioners the consecrated church known as Saint Mary and Saint Botolph and the site thereof and Thorney Vicarage (the said vicarage being the property deli-

neated on the signed Plan A referred to in this Act and thereon numbered 148):

A.D. 1911.

And whereas the said deed poll contained certain covenants by the Duke and the said Reverend William Symons respectively and certain other provisions and also imposed upon the Ecclesiastical Commissioners certain obligations which covenants provisions and obligations were similar to certain of the covenants provisions and obligations contained in the purchase deeds specified in the First and Second Parts respectively of the Fifth Schedule to this Act :

And whereas it has been agreed between the purchasers parties to the purchase deeds the Ecclesiastical Commissioners the private commissioners the Duke and the will trustees that application should be made for the granting of such powers and the enactment of such provisions as are conferred by or contained in this Act and that the rights powers obligations and liabilities by this Act conferred or imposed on the Board and on the owners and occupiers of lands within the drainage district by this Act constituted respectively as against the Board shall be in substitution for the rights powers obligations and liabilities by the purchase deeds and the water deed conferred or imposed on the private commissioners and on the said purchasers respectively as against the private commissioners :

And whereas it is expedient that a Board should be constituted as by this Act provided with the rights powers obligations and liabilities by this Act conferred and imposed and that the purchase deeds should be varied as by this Act provided and be read and construed as freed and discharged from any power of appointment or direction to uses by the will trustees their heirs or assigns but as subject to the provisions of this Act and that the water deed should be annulled as by this Act provided :

And whereas the Duke being the owner of the Thorney River has for many years past taken water from the said river by means of the waterworks by this Act vested in the Board for the purpose of supply for domestic and other purposes to persons occupying premises in the Third District and it is expedient that such rights of taking water from the said river as are by this Act conferred upon the Board for the purposes of their water undertaking should be vested in them :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

A. D. 1911.

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 as follows (that is to say):—

PART I.

INTRODUCTORY.

Short title.

1. This Act may be cited as the *Thorney Drainage Act 1911.*

Act divided into Parts.

2. This Act is divided into Parts as follows:—

- Part I.—Introductory.
- Part II.—Constitution and Proceedings of Board.
- Part III.—Drainage and Irrigation.
- Part IV.—Sewerage.
- Part V.—Water Supply.
- Part VI.—Taxes.
- Part VII.—Financial.
- Part VIII.—Transitory Provisions.
- Part IX.—Miscellaneous.

Commencement of Act.

3. This Act shall come into operation on the first day of January one thousand nine hundred and twelve which date is in this Act referred to as “the commencement of this Act.”

Incorporation of Acts.

4. The provisions of the *Commissioners Clauses Act 1847* except sections 6 17 to 35 40 48 52 54 84 86 87 and 92 and with the addition of the words “and voting” after the word “present” in section 44 and after the said word “present” where that word first and secondly occurs in section 37 and first occurs in section 38 and thirdly occurs in section 50 and with the omission in section 47 of the words “within the limits of the special Act” and the *Lands Clauses Acts* (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement and except sections 136 to 152 of the *Lands Clauses Consolidation Act 1845*) are except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

5. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly



or partially incorporated herewith have the same respective meanings And except where by this Act otherwise provided or where the context otherwise requires—

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The expression "the Board" means the Thorney Drainage Board constituted by this Act;

The expression "the drainage district" means the area situate in the parishes of Thorney and Whittlesey in the Isle of Ely and county of Cambridge and consisting of—

(a) The lands specified in the First Part of the First Schedule to this Act the said First Part containing in the first column thereof the number or numbers whereby the said lands are respectively distinguished on the signed Plan A hereinafter referred to in the second column thereof a short description of the said lands respectively and in the third column thereof the names of the owners or reputed owners of the said lands respectively on the first day of January one thousand nine hundred and eleven;

(b) The lands specified in the Second Part of the said First Schedule the said Second Part containing in the first column thereof the local division in which the said lands are situate in the second column thereof the number or numbers in the said several local divisions whereby the said lands are respectively distinguished on the signed Plan B hereinafter referred to in the third column thereof a short description of the said lands respectively in the fourth column thereof the names of the owners or reputed owners thereof on the said first day of January and in the fifth column thereof the acreage of the said lands respectively;

(c) The waterworks and sewerage works vested in the Board by this Act being the properties delineated on the signed Plan A and thereon distinguished by the numbers 80A 81A 81B 83 84 and 156; and

(d) Such of the premises specified in the Third Schedule to this Act and vested in the Board by this Act as consist of lands of any description which lands are delineated on the signed Plan A and the signed Plan B respectively;

together with all streets and roads on or bounding that area;

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The expressions "the signed Plan A" and "the signed Plan B" mean respectively the plan marked "A" and the plan marked "B" signed by the Right Honourable Lord Balfour of Burleigh the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of each of which plans one copy has been deposited in the Parliament Office of the House of Lords one copy has been deposited in the Private Bill Office of the House of Commons and one copy is intended to be deposited as soon as practicable after the commencement of this Act at the offices of the Board);

The expression "the urban area" means that part of the drainage district which consists of (i) the lands specified or described in the First Part of the said First Schedule to this Act and delineated on the signed Plan A (ii) the waterworks and sewerage works hereinbefore referred to (iii) such of the said premises specified in the Third Schedule to this Act as consist of lands of any description and are delineated on the signed Plan A and (iv) all streets and roads on or bounding the said part of the drainage district;

The expression "owner" means the person for the time being entitled to receive the rackrent of the land in respect of which the tax is made on his own account or as trustee guardian committee or receiver for any other person or who would be entitled to receive the same if such land were let at a rackrent including under the term "rackrent" any rent which is not less than two thirds of the net annual value of the land out of which the rent issues;

The expression "the water undertaking" means the waterworks and works connected therewith by Part V. of this Act vested in or authorised to be made or maintained by the Board and any improvement or extension thereof which they may make under the powers of the said Part and the lands buildings estate right title property privileges and effects used for or belonging to or connected with the water undertaking;

The expression "the Duke" means the Most Noble Herbrand eleventh Duke of Bedford Knight of the Garter and includes (except where the context otherwise requires) his heirs and assigns;

The expression "the will trustees" means the trustees of the will of Francis seventh Duke of Bedford and includes (except where the context otherwise requires) the survivors and survivor of them or other the trustees or trustee for the time being of the said will their or his heirs executors administrators or assigns; A.D. 1911.

The expression "the purchase deeds" means the several indentures specified in the First and Second Parts of the Fifth Schedule to this Act and includes also the deed poll dated the thirtieth day of March one thousand nine hundred and eleven recited or referred to in the preamble to this Act;

The expression "the purchasers" means the purchasers under the purchase deeds including their respective heirs executors administrators and assigns and includes also the Ecclesiastical Commissioners and the Reverend William Symons as parties executing the said deed poll;

The expression "the water deed" means the indenture dated the twenty-ninth day of July one thousand nine hundred and ten recited or referred to in the preamble to this Act;

The expression "the private commissioners" means the parties of the third part to the water deed and therein referred to as "the commissioners" and includes the survivors or survivor of them their and his heirs executors administrators and assigns and any person or persons appointed private commissioners under the water deed before the commencement of this Act.

## PART II.

### CONSTITUTION AND PROCEEDINGS OF BOARD.

6. As from the commencement of this Act the private commissioners are hereby dissolved and shall cease to hold office as such and a board is hereby constituted and incorporated by the name of "The Thorney Drainage Board" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act. Dissolution of private commissioners and incorporation of Board.

7.—(1) Until the date of the first election of elected members of the Board as hereinafter provided the Board shall consist of Constitution of Board.

A.D. 1911. the following persons and the survivors and survivor of them  
(that is to say):—

William Alderman William Amps Albert Victor Askew  
William Banks Edward Balderson Tom Berry Walter  
Bettinson Rowland Buckworth Thomas Ravensdale Burges  
Graham Windyer Clapham Harold Clapham Robert  
Coupland Richard Dring Richard Edward Dowse Stephen  
Rowland Foreman Arthur Gee Ernest Gee Thomas Gee  
William Gee Frederick William Griffin William Hemmant  
Frederick William Horrell William Horrell Ernest William  
Hurn John Joseph Harrison Walter James Maxwell George  
Lever Morris John Edward Morton Harry Newman Walter  
Rowell Odam Edward William Smith Robert Thomas  
Smith George Thompson and Edmund Whittome.

(2) From and after the said date the Board shall consist of  
thirty-four members and shall be constituted as follows (that is  
to say):—

- (a) The persons (if any) for the time being qualified and  
acting as proprietary members in accordance with the  
section of this Act of which the marginal note is  
“As to proprietary members”;
- (b) The persons (if any) for the time being duly nominated  
and acting as nominated members in accordance with  
the section of this Act of which the marginal note is  
“As to nominated members”; and
- (c) Such an additional number of persons to be elected as  
elected members in accordance with the section of  
this Act of which the marginal note is “As to elected  
members” as will with the number of persons (if any)  
for the time being acting respectively as proprietary  
members and nominated members make up thirty-four  
members.

As to elected  
members.

8. The following provisions shall apply with respect to the  
election and holding of office of elected members (that is to  
say):—

- (i) The first election shall be held on the twenty-seventh  
day of May one thousand nine hundred and twelve:
- (ii) The electors at any election shall be the persons (other  
than the Board in their corporate capacity) who were  
on the day immediately preceding such election the  
owners of lands within the drainage district:

- (iii) Any elector or any lessee or tenant of (a) not less than fifty acres of land within the drainage district or (b) lands buildings and premises within the urban area of a rateable value of not less than twenty pounds shall be qualified for election as an elected member :
- (iv) The elected members of the Board shall vacate their offices on the last Monday in May in the year one thousand nine hundred and fifteen and on the same day in each succeeding third year or on such other day in the month of May or June in such year as may be prescribed by the Board Provided that if the election of elected members to be held in any such year as aforesaid shall not be completed before the date fixed for such vacation of office the existing elected members of the Board shall continue in office until such election shall have been completed :
- (v) The offices of vacating elected members shall subject to the provisions of the sections of this Act of which the marginal notes are respectively "As to proprietary members" and "As to nominated members" be filled up by a like number of qualified persons to be elected as in this section provided :
- (vi)—(a) Subject to the provisions of this Act with respect to the rights of voting of proprietary members each elector who is the owner of land within the drainage district but without the urban area shall be entitled to give votes to as many candidates as there are vacancies according to the following scale (that is to say) :—
- If the quantity of such land of which he is the owner is twenty acres or less in extent one such vote ;
- If the quantity of such land exceeds twenty acres in extent one such vote in respect of each complete quantity of twenty acres of such land and in respect of any quantity of such land in excess of the greatest complete multiple of twenty acres ;
- (b) Each elector who is the owner of lands buildings or premises within the urban area shall (in addition to any votes which he may be entitled to give under

A.D. 1911.

the foregoing provisions of this subsection as an owner of land without the urban area) be entitled to give votes to as many candidates as there are vacancies according to the following scale (that is to say):—

If the aggregate rateable value of such lands buildings or premises within the urban area of which he is the owner is twenty pounds or less one such vote ;

If the aggregate rateable value of such lands buildings or premises exceeds twenty pounds one such vote in respect of each complete amount of twenty pounds of such rateable value and in respect of any amount of such rateable value in excess of the greatest complete multiple of twenty pounds ;

(c) Provided that the number of votes given to any candidates by any elector shall not exceed—

In respect of land without the urban area twenty-five votes ; and

In respect of lands buildings or premises within the urban area a like number of votes :

(vii) The election shall be conducted in manner provided in the rules set forth in the Second Schedule to this Act and the provisions of subsections (5) and (6) of the section of this Act of which the marginal note is “Annual general meetings” shall mutatis mutandis apply to any meeting held for the purpose of such election :

(viii) Every elected member of the Board going out of office shall (subject to his remaining qualified and to there being a vacancy among the elected members to be filled up by the election of a new elected member under the provisions of this Act) be re-eligible :

(ix) Any casual vacancy occurring among the elected members of the Board may subject to the provisions of the sections of this Act of which the marginal notes are respectively “As to proprietary members” and “As to nominated members” be filled up by the Board but any person so chosen shall retain his office so long only as the vacating elected member would have retained the same if no vacancy had occurred :

(x) All expenses of or incidental to any election incurred by the returning officer shall be repaid to him by the Board out of the moneys arising from the general drainage tax by this Act authorised. A.D. 1911.

9.—(1) From and after the said twenty-seventh day of May one thousand nine hundred and twelve but subject to the provisions of sections 8 to 15 of the Commissioners Clauses Act 1847 and of this section every person who is for the time being the owner of not less than five hundred acres of land within the drainage district shall be and continue a member of the Board so long as he shall remain so qualified or unless he shall by notice in writing addressed to the clerk of the Board decline to be a member or resign his membership. Every such member is in this Act referred to as a "proprietary member." As to proprietary members.

(2) Any person becoming at any time after the said twenty-seventh day of May one thousand nine hundred and twelve the owner of not less than five hundred acres of land within the drainage district as successor in title to any owner of such land shall if his predecessor in title was immediately before the date of such succession a proprietary member be entitled forthwith to become and act as and exercise the rights of a proprietary member of the Board but if such predecessor was not immediately before the date of such succession a proprietary member the successor shall not be entitled to become or act as or exercise the rights of a proprietary member otherwise than in accordance with the provisions of subsection (4) of this section.

(3) Any vacancy occurring among the proprietary members by reason of any such nominee as is referred to in the section of this Act of which the marginal note is "As to joint owners &c." ceasing to be a proprietary member may forthwith be filled up by the nomination (made in accordance with the said section) of the owners of the estate in respect of which the person so vacating office was a proprietary member and if the person so vacating office shall down to the date of his so doing have exercised (being duly qualified) the right under this Act of nominating a nominated member or nominated members of the Board the person nominated under this subsection shall be entitled forthwith to nominate a nominated member or nominated members in place of the member or members nominated by the person so vacating office.

(4) Any person becoming qualified after the said twenty-seventh day of May one thousand nine hundred and twelve to be

A.D. 1911. a proprietary member in accordance with the foregoing provisions of this Act shall not (otherwise than as mentioned in subsections (2) and (3) of this section) become or act as such until—

- (a) The occurrence of the next casual vacancy among the elected members of the Board; or
- (b) The occurrence of the next vacancy among the proprietary members of the Board which shall not be filled up under the provisions of subsection (2) or (3) of this section; or
- (c) The occurrence of the next vacancy among the nominated members of the Board which shall not be filled up under the provisions of subsection (7) of the section of this Act of which the marginal note is "As to nominated members"; or
- (d) The vacation of office by elected members of the Board consequent upon the election of new elected members held next after he shall become so entitled;

whichever of those events shall first happen.

(5) If in the events (a) (b) or (c) referred to in the last preceding subsection of this section there shall be more than one person qualified to be a proprietary member but not entitled under that subsection to become or act as or exercise the rights of a proprietary member previously to the happening of such event then such one of them as shall have been longest so qualified shall subject to the other provisions of this Act with respect to proprietary members be entitled as from the date of the happening of the said event to become and act as and exercise the rights of a proprietary member.

(6) A proprietary member shall only be entitled to vote at elections of elected members in respect of any quantity of land within the drainage district of which he is the owner in excess of five hundred acres or (in case he exercises his right under the section of this Act of which the marginal note is "As to nominated members" to nominate a member or members) in excess of the greatest complete multiple of five hundred acres of such land in respect of which he exercises such right.

(7) In case any vacancy shall occur among the proprietary members of the Board which shall not be filled up under any of the preceding subsections of this section then subject to the provisions of the section of this Act of which the marginal note is "As to nominated members." such vacancy shall not be filled



up otherwise than by the election of an elected member at the election of new elected members held next after the occurrence of the vacancy. A.D. 1911.

(8) For the purposes of the constitution of the Board on the said twenty-seventh day of May one thousand nine hundred and twelve the proprietary members of the Board shall consist of such persons (if any) as being qualified in accordance with the provisions of this section to be proprietary members shall not later than the thirtieth day of April one thousand nine hundred and twelve by notice in writing addressed to the clerk of the Board intimate their intention to become and act as and exercise the rights of proprietary members.

**10.**—(1) Every person for the time being acting as or qualified under the provisions of this Act to be a proprietary member who is the owner of land within the drainage district to the extent of not less than one thousand acres shall be entitled to nominate a member or members of the Board (in this Act referred to as a "nominated member" or "nominated members") according to the following scale (that is to say):—

As to nominated members.

If the quantity of such land of which he is the owner amounts to one thousand acres but does not amount to one thousand five hundred acres one nominated member;

If the quantity of such land amounts to or exceeds one thousand five hundred acres one additional nominated member in respect of each complete quantity of five hundred acres of such land in excess of one thousand acres.

(2) Every such nomination shall be in writing signed by the person making the same and shall be deposited at the office of the Board and every such nominated member shall after the expiration of seven days from the date of the deposit of his nomination (but not sooner) and subject to the provisions of sections 8 to 15 of the Commissioners Clauses Act 1847 and of this section be entitled to act as a member of the Board and continue so entitled so long as the person nominating him shall remain qualified under this section to make such nomination and shall not withdraw such nomination.

(3) Any person who having made a nomination under this section shall desire to withdraw the same shall give notice of such his desire by writing signed by him and deposited with the clerk of the Board and as from the date of such deposit

A.D. 1911. the withdrawal of such nomination shall take effect and the person named in the nomination shall cease to be or act as a member of the Board.

(4) For the purposes of the constitution of the Board on the said twenty-seventh day of May one thousand nine hundred and twelve any person being on the thirtieth day of April one thousand nine hundred and twelve the owner of land within the drainage district to the extent of not less than one thousand acres shall be entitled by notice in writing signed by him and deposited on the said thirtieth day of April with the clerk to the Board to exercise all such rights of nominating a nominated member or nominated members as he would have been entitled to exercise under the provisions of this section if he had on the said thirtieth day of April been acting as or qualified under the provisions of this Act to be a proprietary member of the Board and any persons so nominated shall be nominated members of the Board as constituted on the said twenty-seventh day of May.

(5) In the event of the death of any person who shall have made a nomination under the provisions of this section or in the event of any such person ceasing to be qualified in accordance with this section to make such nomination the member or members nominated by such person shall cease to be or act as a member or members of the Board.

(6) Any person becoming at any time after the said twenty-seventh day of May one thousand nine hundred and twelve the owner of not less than one thousand acres of land within the drainage district as successor in title to any owner of such land shall if his predecessor in title has done to the date of such succession exercised his right to nominate a member or members of the Board be entitled forthwith to nominate a member or members and the member or members so nominated shall after the expiration of seven days from his or their nomination be entitled to become and act as a nominated member or nominated members of the Board but if such predecessor did not do to the date of such succession exercise the said right the successor shall not be entitled to exercise his said right of nomination otherwise than in accordance with the provisions of subsection (8) of this section.

(7) Any vacancy occurring among the nominated members by reason of the death withdrawal or disqualification of the nominated member may be filled up forthwith by nomination by

the person who nominated the member so dying withdrawing or becoming disqualified. A.D. 1911.

(8) Any person becoming qualified after the said twenty-seventh day of May one thousand nine hundred and twelve to nominate a member shall not (otherwise than as mentioned in subsections (6) and (7) of this section and in subsection (3) of the section of this Act of which the marginal note is "As to proprietary members") be entitled to exercise his said right until—

- (a) The occurrence of the next casual vacancy among the elected members of the Board which shall not be filled up by the accession to office of a new proprietary member; or
- (b) The occurrence of the next vacancy among the nominated members of the Board which shall not be filled up by the accession to office of a new proprietary member or under the provisions of subsection (6) or (7) of this section or subsection (3) of the said section of this Act of which the marginal note is "As to proprietary members"; or
- (c) The occurrence of the next vacancy among the proprietary members of the Board which shall not be filled up by the accession to office of another proprietary member in accordance with the provisions of the said section of this Act of which the marginal note is "As to proprietary members"; or
- (d) The vacation of office by elected members of the Board consequent upon the election of new elected members held next after he shall become so entitled;

whichever of those events shall first happen.

(9) If in the events (a) (b) or (c) referred to in the last preceding subsection of this section there shall be more than one person qualified to nominate a nominated member but not entitled to exercise the right of nomination previously to the happening of such event then such one of them as shall have been longest so qualified shall be entitled as from the date of the said event to exercise his said right.

(10) In case any vacancy shall occur among the nominated members of the Board which shall not be filled up under any of the preceding subsections of this section then subject to the provisions of the said section of this Act of which the marginal

A.D. 1911. note is "As to proprietary members" such vacancy shall not be filled up otherwise than by the election of an elected member at the election of new elected members held next after the occurrence of the vacancy.

(11) Except as by this Act expressly provided no person shall be entitled to become or act as a nominated member of the Board if by so doing he would prevent any person qualified to be and desiring to become and act as a proprietary member from becoming and acting as a member of the Board.

(12) No nominated member of the Board shall be entitled to vote as such at any election of elected members or at any annual general meeting but nothing in this provision shall prevent any such member from exercising any rights of voting which he would have had under the provisions of this Act if he had not been a nominated member of the Board.

Number of new elected members to be elected to be reduced in certain events.

11. If any person becoming qualified after the said twenty-seventh day of May one thousand nine hundred and twelve as provided by the section of this Act of which the marginal note is "As to proprietary members" to be a proprietary member shall in accordance with the provisions of that section become entitled upon the vacation of office by elected members of the Board consequent upon any election of new elected members to become and act as and exercise the rights of a proprietary member and shall not have declined as provided by that section to be a member of the Board or if any person having been nominated as a nominated member under the section of this Act of which the marginal note is "As to nominated members" shall in accordance with the provisions of that section become entitled upon any such vacation of office as aforesaid to become and act as a nominated member the number of persons to be elected as elected members at such election shall be reduced by the number of persons so becoming entitled and not declining to become and act as proprietary members or so becoming entitled to become and act as nominated members.

As to joint owners &c.

12. Where a corporation aggregate (other than the Board) a joint stock or other company or any body of proprietors undertakers commissioners or trustees or any guardian trustee committee or receiver for any other person are or is owner of any land within the drainage district or where two or more persons are owners of any such land as joint tenants co-parceners or tenants in common in undivided shares such owner or owners may from time to time in writing nominate some one person

who shall be deemed to be the owner of such land on his or their behalf for the purposes of this Part of this Act and in the case of any corporate body such nomination shall be made under their corporate seal and in the case of persons who are joint tenants co-parceners or tenants in common in undivided shares the nominee shall be one of such persons such nomination to be deposited at the office of the Board seven clear days before the date of the election of the Board or of the annual general meeting at which it is intended that such nominee shall exercise the right of voting.

A.D. 1911.

**13.**—(1) The Board shall on the third day of June one thousand nine hundred and twelve and at least once (on such date as they may from time to time appoint) in each subsequent year hold a meeting for the transaction of general business.

Regulations  
as to Board.

(2) The Board may in addition to such yearly meetings hold other meetings for the transaction of general or special business on such dates as they may from time to time appoint.

(3) The clerk of the Board shall give to each member of the Board notice of every such meeting as aforesaid stating the place date and hour appointed for the meeting.

(4) All acts of the Board or of any committee of the Board or of any person acting as a member of the Board shall notwithstanding that it may be afterwards discovered that any person for the time being acting as a member of the Board was disqualified or otherwise disentitled to act as a member be as valid as if every such person had been duly qualified and entitled to act as a member.

(5) All meetings of the Board shall be held at the offices of the Board or at such place within a distance of twenty miles therefrom as the Board may from time to time appoint.

**14.** The quorum for a meeting of the Board shall be nine members.

Quorum.

**15.** Any order involving an expenditure of more than five hundred pounds and any matter to be laid before a special meeting of the Board shall be deemed to be special business to be done by special order only.

Certain  
matters to  
be deemed  
special  
business.

**16.**—(1) An annual meeting of the electors shall be held on such date in each year as the Board may from time to time determine and such meeting shall be known as the annual general meeting.

Annual  
general  
meetings.

A.D. 1911.

(2) Notice of each annual general meeting shall be given by advertisement in some newspaper circulating in the drainage district not less than seven clear days previous to such meeting and in such other manner (if any) as the Board may from time to time think fit and every such notice shall specify the time and place of meeting and the object thereof.

(3) The business to be transacted at any annual general meeting shall consist of such business as is by this Act directed to be transacted at such meetings and any other business which the Board may deem expedient to be transacted thereat.

(4) The first annual general meeting shall be held at the offices of the Board in Thorney on the third day of June one thousand nine hundred and twelve.

(5) The quorum for an annual general meeting shall be eleven electors present personally or by proxy and no business shall be transacted at any annual general meeting unless the said number of electors be so present.

(6) The electors present personally or by proxy at any annual general meeting or at any adjournment thereof may from time to time adjourn such meeting to the same or any other place within the drainage district and if at any annual general meeting there be not eleven electors so present within one half-hour after the time appointed for such meeting the electors so present or the major part of them or any one elector if only one be present or the clerk of the Board if no elector be present may adjourn such meeting to another day at the same or any other place within the drainage district.

Votes at  
general  
meetings.

17.—(1) Every elector who is the owner of land within the drainage district but without the urban area shall be entitled to vote at annual general meetings according to the following scale (that is to say):—

If the quantity of such land of which he is the owner is twenty acres or less in extent he shall have one vote;

If the quantity of such land exceeds twenty acres in extent he shall have one vote in respect of each complete quantity of twenty acres of such land and in respect of any quantity of such land in excess of the greatest complete multiple of twenty acres.

(2) Every elector who is the owner of lands, buildings or premises within the urban area shall (in addition to any votes

to which he may be entitled under the preceding subsection of this section as an owner of land without the urban area) be entitled to vote at annual general meetings according to the following scale (that is to say):—

If the aggregate rateable value of such lands buildings or premises within the urban area of which he is the owner is twenty pounds or less he shall have one vote;

If the aggregate rateable value of such lands buildings or premises exceeds twenty pounds he shall have one vote in respect of each complete amount of twenty pounds of such rateable value and in respect of any amount of such rateable value in excess of the greatest complete multiple of twenty pounds.

(3) Provided that the number of votes given by any elector shall not exceed—

In respect of land without the urban area twenty-five votes;  
and

In respect of lands buildings or premises within the urban area a like number of votes.

**18.** No elector shall be entitled to vote at an election of elected members or at an annual general meeting unless he shall have paid all moneys due from him to the Board whether on account of the general drainage tax or additional tax hereinafter referred to or otherwise.

Electors not to vote if moneys due to Board not paid.

**19.** All votes whether at an election of elected members or at an annual general meeting may be given either personally or by proxy and every proxy shall be appointed under the hand of the appointor but shall not be entitled to vote unless the instrument appointing him was deposited at the office of the Board seven clear days before the date of the election or the meeting at which such proxy proposes to vote but no person shall be appointed a proxy unless he is qualified as an elector or to be a member of the Board.

Proxies.

**20.**—(1) The person who at the commencement of this Act is the auditor appointed by and acting for the private commissioners or if there be no such person then some person to be appointed by the Board shall be the auditor of the Board until the date of the first annual general meeting and shall receive such remuneration as the Board may fix.

Auditors.

A.D. 1911.

(2) The electors present at the said meeting and at each subsequent annual general meeting may appoint some person not being a member of the Board to be the auditor of the accounts of the Board for the next ensuing year and if no other person present at such meeting propose the name of a person to be appointed auditor by such meeting it shall be the duty of the chairman of the meeting to propose the name of a person to be so appointed.

(3) The auditor appointed at any annual general meeting shall receive such remuneration as may be fixed by such meeting and any auditor shall be eligible for re-appointment as auditor.

(4) If any auditor of the Board shall die or resign his office before completing the audit of the accounts of the Board for the year for which he was appointed the Board may and (if necessary in order to give effect to the provisions of this section) shall appoint some person to be the auditor of the Board until the next annual general meeting and may fix the remuneration to be received by such person.

As to ascertaining rateable value for purposes of voting.

**21.** The rateable value of any lands buildings or premises for the purposes of voting at any election of elected members or at any annual general meeting shall be ascertained by the valuation list in force at the date of the election or of the meeting (as the case may be) or if there is no such list in force by the last rate made for the relief of the poor.

As to expenses incurred under this Part of Act and Commissioners Clauses Act 1847.

**22.** All expenses incurred by the Board under this Part of this Act or under the provisions of the Commissioners Clauses Act 1847 incorporated with this Act shall for the purposes of this Act be deemed to have been incurred in respect of the purposes of Part III. of this Act.

### PART III.

#### DRAINAGE AND IRRIGATION.

Lands and property vested in Board.

**23.** As from the commencement of this Act the lands rivers dykes drains hereditaments and premises and the liberties privileges easements rights and advantages specified in the Third Schedule to this Act shall be and the same are hereby vested in the Board for the purposes of this Part of this Act but subject to the obligations liabilities duties restrictions reservations and easements specified or referred to in the said schedule with respect thereto.



24.—(1) The powers of the Board under this Act shall include the right to do all or any of the following things (that is to say):—

A.D. 1911.  
Defining  
powers of  
Board with  
respect to  
drainage and  
irrigation.

(a) They may in upon and with the lands and premises for the time being belonging to them execute and do all works and things which shall be necessary—

(i) To admit from the River Nene and elsewhere through Dog-in-a-Doublet Sluice and along Thorney River Thorney Dyke and other beds and channels vested in the Board sufficient water for the purposes of this Act and for enabling the owners and occupiers for the time being of lands within the drainage district to enjoy the same easements and rights to receive and use the said water for purposes of navigation irrigation drainage and domestic and other use as they enjoyed immediately before the commencement of this Act or would have enjoyed if this Act had not been passed; and

(ii) To discharge the surplus waters issuing from the drainage district into and upon channels beds and lands not comprised in the drainage district so as to enable such owners and occupiers as aforesaid to enjoy the same easements and rights to discharge water into and upon adjacent lands as they enjoyed immediately before the commencement of this Act or would have enjoyed if this Act had not been passed:

(b) They may for the purposes aforesaid or any like purposes or for any purpose connected with the drainage or improvement of lands within the drainage district in or upon any of the lands for the time being belonging to them make construct scour cleanse widen deepen maintain and repair the said sluice Thorney River and Thorney Dyke and the embankments and forelands of the said river and dyke and all other dykes beds drains dams sluices ditches doors cuts catch-water drains headings outlets stanches culverts banks forelands embankments mills engines pumps machinery tunnels bridges buildings and other works and conveniences within the drainage district:

(c) They may regulate supervise and control the cleansing and scouring out of dykes and drains (other than

A.D. 1911.

dykes and drains for the time being vested in them) and the keeping clear of such dykes and drains and the embankments and forelands thereof from obstruction or anything endangering the safety or utility thereof and generally the performance of all duties necessary for or incidental to the preservation of reciprocal easements or rights to receive or discharge water enjoyed by or in respect of any lands within the drainage district over or against any other such lands and in case of any neglect of such duties as aforesaid or any abuse or violation of the said easements or rights they may by notice in writing addressed to the person in default require him to perform such duties or rectify such abuse or violation within a reasonable time to be specified in the notice and in case of non-compliance with the requirements of any such notice they may themselves execute and do all such works and things as may be necessary and may recover from the person so in default as aforesaid all expenses reasonably incurred by them in so doing :

- (d) They may with the consent of the body or person having the control thereof connect any such cuts or catch-water drains with any cuts or catch-water drains in any adjoining district or lands and may with the like consent also connect any such banks with any banks in any adjoining district or lands :
- (e) They may cleanse scour deepen widen and improve or alter the course of any existing banks ditches drains or watercourses within the drainage district :
- (f) They may enter upon and use any public drains and other drains or banks within the drainage district and may by agreement with the owners lessees and occupiers of any lands enter upon and use such lands and may dig and take earth and soil therefrom or may lay up and continue earth and soil or other matters thereon :
- (g) They may remove trees and other obstructions within the drainage district :
- (h) They may abandon or stop up so much of any of the present drains and watercourses within the drainage district as may be rendered unnecessary by any of

the drains or other works executed by the Board or as it may be desirable to stop up for any purpose and where the soil of the drains or watercourses so abandoned or stopped up is not vested in the owners of the adjoining lands or other parties the Board may sell the same for the purposes of this Act:

- (i) They may make or cause to be made all such surveys of the lands works and hereditaments within the drainage district as they may think fit:
- (j) They may lay out construct repair and maintain all such ditches or occupation roads with proper banks ditches or other fences as they may think requisite for the convenient use and occupation of any lands within the drainage district:
- (k) They may from time to time alter repair or discontinue the before-mentioned works or any of them and construct others in their stead:
- (l) They may use or dispose of the materials of any works which may be taken down or removed or rendered unnecessary by any of the works executed by the Board:
- (m) They may require the owner or occupier of any land within the drainage district adjoining any watercourse or drain within the drainage district to remove any bridge belonging to or repairable by him which shall be in such a condition as to affect injuriously any such watercourse or drain or the flow of water therein or any fallen trees or other obstructions to such watercourse or drain and to fence any portion of the works watercourses or drains vested in or used by the Board so as to prevent cattle from getting into the same or from treading down the banks thereof and in the event of any such owner or occupier failing to comply with any such requirement of the Board they may themselves execute the works necessary for complying with the same and the expenses attending such works shall be reimbursed to the Board by such owner or occupier. Provided that if the Board of Agriculture and Fisheries on the application of the owner or occupier of any land certify

A.D. 1911.

that in their opinion any fencing which such owner or occupier is required by the Board to execute is unnecessary the requirement of the Board with respect to such fencing shall not be binding upon such owner or occupier :

(n) And they may do within the drainage district all other acts which they may deem necessary for rendering more efficient the drainage or irrigation of the drainage district :

Provided that nothing in this section shall authorise the Board to act in contravention of the prohibition contained in the proviso to section 69 (The owners in Third District not to be prevented from maintaining the drains &c.) of the Act 11 Geo. IV. cap. liii. but that that proviso shall extend and apply to the Board as if they were the owners of land within the Third District.

(2) The expenses of any fencing reimbursed by the occupier of any land to the Board under this section may be deducted by him from any rent at any time payable by him to the owner of such land Provided that no greater sum shall be recovered at any one time from any occupier (who is not at the same time the owner) than the amount of rent owing by him or which shall have accrued due from him subsequent to the requirement of the Board to reimburse such expenses but no occupier shall be entitled to the benefit of this proviso unless he shall on demand by the clerk or other person appointed by the Board produce to him the receipt for the last payment of rent made by such occupier or if he shall not have paid any rent give true and full information to such clerk or other person as to the rent at which he holds and the times at which the same becomes payable and the amount of rent (if any) owing by him Provided also that nothing in this section contained shall extend to abrogate any existing lease or agreement or be deemed to alter the incidence of burdens as between landlord and tenant under any such existing lease or agreement or to prevent or interfere with effect being given to any other provisions with respect to the payment of any such expenses as aforesaid which may be contained in any future lease or agreement.

(3) Any person refusing or failing to admit any person who being duly authorised by the Board and exhibiting his authority if required claims to enter upon any lands within the drainage

district for any of the purposes mentioned in paragraphs (c) (e) (g) (h) (i) (k) and (m) of subsection (1) of this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence. A.D. 1911.

**25.** When and so soon as any new drain or watercourse shall be made and completed so as to admit a free and perfect passage of the water through the same for the purposes of drainage and not sooner all rights of drainage through the old channel for which such new drain or watercourse is substituted shall cease and be at an end. When new drains completed rights of drainage through old channels to cease.

**26.**—(1) All owners and occupiers of lands within the drainage district shall from time to time and at all times hereafter keep or cause to be kept the several outring dykes division dykes droveway dykes interior dykes and ditches within or adjoining or belonging to their respective lands (other than dykes and premises for the time being vested in the Board) of such depth and width as the Board may reasonably require and shall also from time to time and at all times hereafter cause the same dykes and ditches to be well and effectually roded scoured cleansed opened and repaired and cause proper culverts to be laid and maintained 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 in writing in that behalf shall be given to him by the Board cause and procure such dykes and ditches to be roded scoured cleansed opened and repaired and made of such depth and width or such culverts to be laid or maintained as the Board may by such notice reasonably require the Board may cause the same to be done in a proper and effectual manner and may recover the charges and expenses thereof from the owner or owners occupier or occupiers of the lands to which such dykes ditches or culverts shall appertain or belong Every such owner or occupier offending against any of the provisions of this section shall be liable on conviction to a penalty not exceeding five pounds. Dykes and ditches to be kept of a certain depth and cleansed.

(2) Every person who shall at any time obstruct the Board or any person employed by them in the performance of anything which they are empowered to do under this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence.

A.D. 1911.

Powers of Board in relation to private lands.

**27.** It shall be lawful for the Board by agreement with the owners lessees and occupiers of any lands within the drainage district—

(a) To enter upon and use such lands and to take therefrom and use such earth rubble ground or material near to or adjoining the banks and bridges for the time being vested in the Board as shall be necessary for the making raising strengthening and maintaining thereof respectively:

(b) To unload or deposit on such lands any ballast sand stones rubbish filth gravel ashes refuse or any other substance which may have been removed by them from any river bed drain dyke embankment foreland or elsewhere.

Board to make compensation for damage.

**28.** In the exercise of the powers by this Act granted the Board shall do as little damage as may be and shall make full satisfaction in manner provided by the Lands Clauses Acts to all parties interested for all damage sustained by them by reason of the exercise of such powers and in case any party shall claim compensation and the same shall be referred to arbitration or to a jury or to two justices and he shall not be able to prove to the satisfaction of such arbitrator jury or justices that he has sustained any damage or injury the arbitrator jury or justices as the case may be may award to the Board such costs charges and expenses occasioned thereby to be paid by the party claiming compensation as such arbitrator jury or justices shall think just.

As to alterations of Dog-in-a-Doublet and Standground Sluices.

**29.** Notwithstanding anything contained in this Act or in any Act relating to the Middle Level Commissioners or any rights or powers otherwise vested in or exerciseable by the Board or the Middle Level Commissioners the Board shall not without the consent in writing of the Middle Level Commissioners widen lower or deepen Dog-in-a-Doublet Sluice and the Middle Level Commissioners shall not without the consent in writing of the Board widen lower or deepen Standground Sluice.

Any such consent as aforesaid may be given upon and subject to such terms and conditions as the body giving the same may think fit to impose and any terms and conditions so imposed shall be embodied in an agreement to be entered into between the parties.

PART IV.

A.D. 1911.

SEWERAGE.

**30.**—(1) As from the commencement of this Act there shall be by virtue of this Act vested in the Board the existing sewage disposal works in the parish of Thorney (together with such lands as were immediately before the commencement of this Act held by the private commissioners in connection with such works) and all sewers drains pipes and works connected therewith (not being a drain or pipe vested in the owner or occupier of any premises) then laid or existing in the urban area and all easements rights and liberties immediately before the commencement of this Act vested in or exerciseable by the private commissioners in connection with the said works or the disposal of such sewage (including the right and liberty fourthly described in the Third Schedule to this Act).

Provisions  
as to sewers  
in urban area.

(2) The Board shall within the urban area have and may exercise all such rights powers and privileges and be subject to all such duties obligations and liabilities with respect to the making maintaining enlarging lessening altering the course of covering in improving discontinuing closing up destroying cleansing and emptying of sewers as if the Board were a local authority within the meaning of the Public Health Act 1875 or any Act amending or extending the same and as if the urban area were their district.

(3) Every owner or occupier of premises within the urban area shall have and be subject to the like rights powers privileges duties obligations and liabilities with respect to sewers of the Board as such owners or occupiers have or would have and are or would be subject to with respect to the sewers of a local authority.

**31.** The Board may enter into and carry into effect agreements or arrangements for the lease or transfer to the rural district council of Thorney of the said sewage disposal works and all or any of such lands sewers drains pipes works easements rights and liberties as are by this Part of this Act vested in the Board and the moneys produced thereby shall be applied by the Board as if they were moneys in the nature of revenue or of capital (as the case may be) received on account of the additional tax.

As to trans-  
fer of sewer-  
age works to  
rural district  
council of  
Thorney.

A.D. 1911.

PART V.

WATER SUPPLY.

Incorporation of Waterworks Clauses Acts with this Part of Act.

**32.** The Waterworks Clauses Acts 1847 and 1863 (so far as the same are applicable for the purposes of and are not inconsistent with the provisions of this Part of this Act) are hereby incorporated with this Part of this Act except—

(a) the words “with the consent in writing of the owner or “reputed owner of any such house or of the agent “of such owner” in section 44 of the Waterworks Clauses Act 1847 and the words “and consent” in section 45 of the same Act ;

(b) the provisions of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts.

Waterworks vested in Board.

**33.** There shall be vested in the Board for the purposes of this Part of this Act the lands and premises in the parish of Thorney at the commencement of this Act occupied and known as the Thorney Waterworks together with all filter beds wells towers tanks mains pipes works and apparatus used for the purposes thereof or in connection therewith or for the purposes of or in connection with the supply of water to premises within the urban area.

Limits of water supply.

**34.** The limits of supply of water by the Board shall be the urban area (in this Part of this Act referred to as “the limits of supply”).

Power to Board to continue existing and provide new stand-pipes.

**35.** It shall be lawful for the Board to continue and maintain all or any of the stand-pipes for the supply of water which at the commencement of this Act are provided within the urban area and to provide construct lay down maintain renew and repair within the limits of supply all such further stand-pipes and all such mains pipes works and apparatus connected therewith as they may think fit The owners and occupiers of all dwelling-houses within two hundred feet of any such stand-pipe as aforesaid shall be entitled subject to the provisions of the section of this Act of which the marginal note is “Rating for water supply by stand-pipes” to take water therefrom and it shall be lawful for the Board to permit all such other persons (if any) as the Board may determine to take by means of any such stand-pipes a supply of water upon such payment as the Board



may prescribe and upon and subject to such terms and conditions as the Board may determine. A.D. 1911.

**36.** It shall be lawful for the Board to take or continue to take from the Thorney River by means of the existing water-works or any works which the Board may construct or provide in substitution therefor or in extension thereof such quantity of water as they may require for the purposes of the water undertaking. Power to take water.

**37.** For the purpose of supplying water within the limits of supply the Board shall within such limits have the powers of a local authority under section 54 of the Public Health Act 1875 in respect of the carrying of water mains within their district and for the purposes of that section the limits of supply shall be deemed to be their district. Application of provisions of Public Health Act as to water-works.

**38.** The Board may make and carry into effect agreements with the owners lessees or occupiers of any lands from through or under which any water may flow or percolate directly or derivatively into the Thorney River with reference to the execution by the Board or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters so flowing or percolating. Power to agree as to drainage of lands &c.

**39.** The Board may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts respectively but the Board shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking. Power to hold lands for protection of water-works.

**40.** The Board shall at the request of the owner or occupier of any dwelling-house entitled under the provisions of this Part of this Act to demand a supply of water for domestic purposes furnish to such owner or occupier by means of a communication pipe or communication pipes and other necessary and proper apparatus to be provided and laid down and maintained by him and at his cost a sufficient supply of water for Rates for supply of water for domestic purposes.

A.D. 1911. such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say):--

Where the rateable value of the premises so supplied with water does not exceed ten pounds the sum of eight shillings and eightpence;

Where such rateable value exceeds ten pounds and does not exceed twenty pounds the sum of fifteen shillings;

Where such rateable value exceeds twenty pounds not exceeding five per centum of such rateable value.

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor. Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction.

In addition to the foregoing charges the Board may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding two shillings per annum and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding six shillings per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Board may think fit such additional sum to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Rating for  
water supply  
by stand-  
pipes.

41. Where the Board maintain any stand-pipe or stand-pipes provided at the commencement of this Act for the supply of water or have provided after such commencement any such stand-pipe or stand-pipes they may recover from the owner or occupier of every dwelling-house within two hundred feet of each such stand-pipe to which they are not for the time being furnishing a separate supply of water water rates or water rents in the same manner in all respects as if the supply had been given on the premises. Provided that if any such dwelling-house has within a reasonable distance and from other sources a supply of wholesome water sufficient for the consumption and use of the inmates of the house no water rate or water rent

shall be recoverable from the owner or occupier of such house in respect of any such stand-pipe unless and until the water supplied by the Board by means of such stand-pipe is used by inmates of the house. A.D. 1911.

**42.** The water to be supplied by the Board need not be constantly laid on under pressure or be continuously supplied or be supplied in any case at a level above that at which water can be supplied by gravitation from the service tanks of the Board. Constant supply and pressure.

**43.** Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Board so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. Rates payable by owners of small houses.

**44.** The Board shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water Provided that nothing in this section shall be deemed to relieve the Board from the express obligations by this Part of this Act imposed upon them. Board not bound to supply more than one house by same communication pipe.

**45.** A notice to the Board from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Board. Notice of discontinuance.

**46.**—(1) The Board may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to Byelaws for preventing waste &c. of water.

A.D. 1911. waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Board are bound to afford and do in fact afford or are prepared on demand to afford a constant supply and the provisions with respect to byelaws contained in sections 182 183 184 and 186 of the Public Health Act 1875 shall apply to all byelaws so made and those sections shall for the purposes of this section be construed as if the Board were a local authority within the meaning of the said sections and the clerk to the Board were the clerk of the local authority.

(3) A copy of all such byelaws in force for the time being shall be kept at the office of the Board All persons may at all reasonable times inspect such copy without payment and the Board shall cause to be delivered a printed copy of all such byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(4) In case of failure of any person to observe such byelaws as are for the time being in force the Board may if they think fit after twenty-four hours' notice in writing enter upon the premises in his occupation and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Board as the water-rates in respect of the premises are recoverable.

Supply by  
measure.

47. The Board may supply water for other than domestic purposes on such terms and conditions as the Board think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes.

Supply to  
houses partly  
used for  
trade &c.

48. The Board shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same

[1 & 2 GEO. 5.] *Thorney Drainage Act*, 1911. [Ch. clxxxvii.]

occupier for any trade or manufacturing purpose for which water is required: A.D. 1911.

Provided that the price to be charged for water supplied by measure under this section shall not exceed two shillings per thousand gallons.

49. Before any person connects or disconnects any meter by means of which any of the water of the Board is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Board of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under the superintendence of any officer of or person authorised by the Board and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Notice to Board of connecting or disconnecting meters.

50. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Board or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Board shall (without prejudice to any other right or remedy for the protection of the Board) be liable to a fine not exceeding five pounds and the Board may in addition thereto recover the amount of any damage by them sustained:

Injuring meters &c.

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Board or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Board the Board may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Board by the person

A.D. 1911. so offending and may be recovered by them as water rates are recoverable. The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Board when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Power to supply fittings.

**51.**—(1) The Board may if requested by any person supplied or about to be supplied by them with water furnish to him or let to him for hire and repair or alter (but shall not manufacture) any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Board in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Board as the actual owners thereof.

Contracts for supplying water in bulk.

**52.** The Board may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply to any such authority company or persons respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that such supply shall not be given except with the consent of any company or person supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the limits of supply.

**53.** The Board shall apply all moneys received by them on revenue account in respect of the water undertaking in manner and in the order following (that is to say):—

A.D. 1911.  
Application  
of revenue  
in respect of  
water under-  
taking.

First In payment of the working and establishment expenses and cost of maintenance of the water undertaking:

Secondly In payment of the interest on any moneys borrowed by the Board for the purposes of the water undertaking:

Thirdly In providing the requisite appropriations or instalments in respect of moneys borrowed for the purposes of the water undertaking:

Fourthly In repaying to the account of the Board relating to the additional tax and the general drainage tax or either of them the amount of any deficiency in respect of the water undertaking which shall have been made good out of the proceeds of such taxes or tax:

Fifthly In extending or improving if the Board think fit any works for the purposes of the water undertaking:

Sixthly In providing if the Board think fit a reserve fund for the water undertaking by setting aside such money as they from time to time think reasonable and investing the same and the resulting income thereof in or upon any security in or upon which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and accumulating the same at compound interest until the fund so formed amounts to one thousand pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Board from the water undertaking or to meet any extraordinary claim or demand at any time arising against the Board in respect of the water undertaking and so that if the fund is at any time reduced it may thereafter be again restored to the sum of one thousand pounds and so from time to time as often as such reduction happens:

And the Board shall subject as aforesaid carry to the credit of their account relating to the additional tax any balance remaining in any year and shall also carry to the credit of the said account the annual proceeds of the reserve fund whenever and so long as such fund amounts to one thousand pounds.

A.D. 1911.

Board to adapt charges to meet expenditure in respect of water undertaking.

**54.** The Board shall once in the second year after the commencement of this Act and once in each succeeding year cause to be laid before them a statement of the accounts of the water undertaking and the Board shall thereupon fix the rates prices and charges to be demanded for the supply of water during the next ensuing year at such respective amounts (not exceeding the maximum amounts which they are for the time being entitled to demand) that so far as reasonably practicable the revenue for that year shall meet the expenditure on revenue account for that year in respect of the said undertaking including in such expenditure the charges for interest and instalments of principal on any moneys borrowed for the purposes of the water undertaking and any sums to be set aside by the Board for the purposes of the reserve fund or to be applied to such repayments as are referred to in the section of this Act of which the marginal note is "Deficiencies in respect of water undertaking."

Deficiencies in respect of water undertaking.

**55.** If in any year there shall be a deficiency in respect of the water undertaking the Board shall in the absence of a reserve fund applicable for the purpose or so far as such reserve fund is not sufficient for the purpose make good such deficiency out of the proceeds of the additional tax and if and so far as such proceeds are insufficient for the purpose then out of the proceeds of the general drainage tax. Provided that the amount of any deficiency so made good shall be repaid to the account of the Board relating to the additional tax and the general drainage tax or either of them (as the case may be) in accordance with the provisions of the section of this Act of which the marginal note is "Application of revenue in respect of water undertaking."

As to transfer of water undertaking to rural district council of Thorney.

**56.—**(1) The Board may enter into and carry into effect agreements for the lease or transfer to the rural district council of Thorney of the water undertaking and for the purposes of any such lease or transfer the Board shall be deemed to be a water company within the meaning of section 51 of the Public Health Act 1875.

(2) All moneys (if any) in the nature of capital received by the Board upon any such lease or transfer as aforesaid shall be applied by them in or towards the repayment first of any moneys borrowed for the purposes of the water undertaking and secondly of any other moneys borrowed wholly or partly on the credit of the additional tax and if no such borrowed moneys shall be outstanding or if the amount received by the Board



shall be more than sufficient to repay the amount of the out-  
standing moneys then the moneys so received by the Board as  
aforesaid or the balance thereof (as the case may be) shall be  
applied to such of the purposes of this Act to which capital is  
properly applicable as the Board may determine. A.D. 1911.

(3) All moneys (if any) received by the Board on revenue  
account under or upon any such lease or transfer as aforesaid  
shall be applied by the Board in manner and in the order  
following (that is to say) :—

First In or towards the purposes first secondly thirdly and  
fourthly referred to in the section of this Act of which  
the marginal note is “Application of revenue in respect  
of water undertaking”;

Secondly If and so long as the additional tax shall continue  
to be leviabie under the provisions of this Act to such of  
the purposes to which moneys received from that tax are  
applicable as the Board may from time to time deter-  
mine; and

Thirdly To such of the purposes of this Act (not being  
purposes to which capital is applicable) as the Board may  
from time to time determine.

## PART VI.

### TAXES.

**57.** Subject to the provisions of this Act the Board may  
from time to time in every year as occasion shall require  
assess and tax all the lands within the drainage district (except  
so much thereof as is situate in the parish of Whittlesey and  
except the site of any public street or road) with such equal  
sum or sums of money per acre as the Board shall think fit not  
exceeding two shillings per acre per annum and so in proportion  
for any less quantity than an acre to be called “the general  
drainage tax” and to be applied for the purposes of Part III.  
of this Act or in any other manner by this Act expressly provided  
with respect thereto. Power to  
levy general  
drainage tax.

**58.** Subject to the provisions of this Act the Board may  
from time to time in every year as occasion shall require  
assess and tax all the lands buildings and premises within the  
urban area (except the site of any public street or road) with  
such a sum or sums of money as the Board shall think fit not  
Power to  
levy addi-  
tional tax.

A.D. 1911. exceeding in the whole in any one year fifteen per centum of the rateable value of the land building or premises assessed to be called "the additional tax" and to be applied for the purposes of Part IV. of this Act or for any other purpose by this Act expressly authorised with respect thereto Provided that in case the water undertaking and the sewers and sewerage works referred to in the said Part IV. of this Act shall be wholly transferred under the powers of this Act—

(a) Any balance remaining to the credit of the Board on account of the additional tax whether on capital account or revenue account after satisfying all the purposes aforesaid shall be applied by the Board in the same manner as if such balance consisted of moneys raised by mortgage of the general drainage tax or of moneys received from the general drainage tax (as the case may be); and

(b) The additional tax shall as from the date of such transfer cease to be leviable.

Form of assessment.

**59.** Any taxation or assessment made under the provisions of this Part of this Act shall be in the form specified in the First or Second Part (as the case may be) of the Fourth Schedule to this Act or to the like effect.

Public notice of assessment of taxes to be given.

**60.** Public notice of the time and place appointed for the payment of the several taxes by this Part of this Act authorised to be charged by the Board shall be given by advertising the same at least twenty-one days before the time appointed for payment thereof in some newspaper usually circulating in the drainage district.

Orders for taxes.

**61.** The order for every tax made under the powers of this Part of this Act shall be entered in a book to be provided for that purpose and shall be sealed by the Board and shall be open to the inspection of all persons taxed or liable to be taxed under this Part of this Act without fee or reward and every such tax shall be paid to such persons and at such times and places as the Board shall order or direct.

Taxes may be retrospective or prospective.

**62.** The Board may make any such tax as aforesaid prospectively in order to raise money to pay charges and expenses to be incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

**63.** In determining the acreage of the lands in the occupation of any person for the purposes of this Part of this Act any lands in one occupation of less extent than one rood shall be deemed to be one rood and a fraction of a rood beyond a rood or an integral number of roods shall be deemed a rood.

A.D. 1911.  
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Determina-  
tion of acre-  
age of lands.

**64.** The rateable value of any lands buildings or premises for the purpose of assessment to any additional tax shall be ascertained by the valuation list in force at the date at which such additional tax is made by the Board or if there is no such list in force by the last rate made for the relief of the poor.

As to ascer-  
taining rate-  
able value  
for purpose  
of assess-  
ment.

**65.** The Board may from time to time amend any tax made in pursuance of this Part of this Act by inserting therein the name of any person claiming and entitled to have his name inserted or by inserting the name of any person who ought to have been assessed or by striking out the name of any person who ought not to have been assessed or by raising or reducing the sum at which any person has been assessed if it appears to the Board that he has been under-taxed or over-taxed or by making any other alteration which will make the tax conformable to the provisions of this Part of this Act and no such amendment shall be held to avoid the tax Provided that an amended tax shall not be payable by any person the amount of whose tax is increased by the amendment or whose name is thereby newly inserted until seven days after notice of the amendment has been given to him.

Taxes may  
be amended.

**66.** The production of the books purporting to contain any tax or assessment made under this Part of this Act (if such tax or assessment bear the seal of the Board of which no proof other than the production of the book shall be necessary) shall without any other evidence whatever be received as *prima facie* evidence of the making and validity of the taxes mentioned therein.

Evidence of  
taxes.

**67.** Where the name of any owner or occupier liable to pay any tax under this Part of this Act is not known to the Board it shall be sufficient to assess and designate him in notices and other documents as "the owner" or "the occupier" of the lands in respect of which he is assessed without further description.

Description  
of owner or  
occupier.

**68.** Subject as hereinafter provided every tenant or occupier of any lands buildings or premises assessed or taxed with or liable to any tax by this Part of this Act authorised is hereby

Tenants and  
occupiers to  
pay taxes  
and to deduct

A.D. 1911.  
them from  
rents.

required to pay all and every such sum or sums of money as shall be from time to time assessed taxed or charged on or for or in respect of such lands buildings or premises in his tenancy or occupation in respect of any such tax and shall be entitled to deduct from any rent at any time payable by him to the owner of such lands buildings or premises the amounts so paid by him in respect of such taxes Provided that no greater sum shall be recovered at any one time from any tenant or occupier (who is not at the same time the owner) than the amount of rent owing by him or which shall have accrued due from him subsequent to the service of a notice upon him to pay the tax but no tenant or occupier shall be entitled to the benefit of this proviso unless he shall on demand by the clerk or other person appointed by the Board produce to him the receipt for the last payment of rent made by such tenant or occupier or if he shall not have paid any rent give true and full information to such clerk or other person as to the rent at which he holds and the times at which the same becomes payable and the amount of rent (if any) owing by him Provided also that nothing in this section contained shall extend to abrogate any existing lease or agreement or be deemed to alter the incidence of burdens as between landlord and tenant under any such existing lease or agreement or to prevent or interfere with effect being given to any other provisions with respect to the payment of such sum or sums of money as aforesaid which may be contained in any future lease or agreement by agreement between the parties thereto.

Creditors not  
to set off in-  
terest against  
taxes.

**69.** No person being a creditor on the taxes imposed by this Part of this Act and being an owner or occupier of any of the lands buildings or premises to be taxed by virtue thereof shall at any time set off any part of the interest payable to him as such creditor as aforesaid from any sum of money which shall be payable by him for such taxes except as provided by the section of this Act of which the marginal note is "Recovery of rentcharges and moneys due or accruing."

Demand  
note.

**70.** Notice of every tax imposed by the Board under this Part of this Act shall be given as soon as may be to every occupier liable to the tax and every such notice shall state the period for which the tax is to be levied the total amount payable and the time at which (not being less than twenty-one days from the date of the order imposing the tax) and the persons to whom payment is to be made.

**71.** When any lands buildings or premises in respect of which the occupier if such lands buildings or premises were occupied would be liable to pay any tax made under the provisions of this Part of this Act shall be unoccupied at the time of making such tax the Board may recover the amount of such tax from the owner of such unoccupied lands buildings or premises and every such owner shall pay the amount of such tax.

A.D. 1911.  
Owners of unoccupied property to pay tax.

**72.** All taxes under this Part of this Act may be enforced by the same remedies as if the same were district rates levied under the powers of the Public Health Act 1875 and as if the Board were a local authority within the meaning of that Act or at the option of the Board by an action in any court of competent jurisdiction.

Recovery of taxes.

**73.** The Board may if they think fit allow discounts or rebates to any person liable to pay any tax made under the powers of this Act in consideration of prompt payment of such tax not exceeding in any case ten per centum of the amount of the tax Provided that all discounts or rebates shall be of equal amount under like circumstances to all persons liable to pay any such tax as aforesaid:

Discounts.

Provided also that notice of the effect of this enactment shall be endorsed on every demand note for the payment of any such tax as aforesaid.

**74.—(1)** If any tax by this Part of this Act authorised to be made shall be unpaid for the space of twelve months next after a judgment or order of the court for the payment thereof and the Board are unable to recover the same by distress under the powers by this Part of this Act conferred then and in every such case the Board may for the purpose of raising and levying the amount of such tax after giving not less than twenty-eight days' previous notice in writing of their intention to the owner of the lands buildings or premises assessed to the tax let by public auction to the best bidder so much of the said assessed lands buildings or premises as they shall judge sufficient for such term of years at such rent and upon such terms and conditions as to them shall seem meet and the Board shall apply the net rents arising therefrom in payment and discharge of all such taxes as aforesaid and the costs charges and expenses of advertising and letting the lands buildings or premises as

Lands may be let or sold for payment of taxes.

A.D. 1911. aforesaid and shall pay the balance (if any) to such owner as aforesaid.

(2) If any tax by this Part of this Act authorised to be made shall be unpaid for the space of three years next after a judgment or order of the court for the payment thereof and the Board are unable to recover the same by distress under the powers by this Part of this Act conferred then and in every such case the Board after giving not less than twenty-eight days' previous notice in writing to the owner of the lands buildings or premises assessed to the tax where his name and address can be ascertained may sell to the best bidder by public auction so much of the said assessed lands buildings or premises as the Board shall judge sufficient to raise such taxes and the costs charges and expenses of advertising and selling such lands buildings or premises and shall apply the net proceeds of sale in payment of all such taxes costs charges and expenses as aforesaid and shall pay the balance (if any) to such owner as aforesaid The Board may by writing under their seal convey and assure the said lands buildings or premises to any person who shall become the purchaser thereof and to his heirs and assigns and such writing or conveyance shall be good valid and effectual in law to all intents and purposes whatsoever.

(3) Provided always that the lands buildings or premises so let or sold as aforesaid shall be and remain subject to the payment of all such taxes as shall be theretofore laid and assessed thereon and become due for the same by virtue of this Part of this Act and to all such other taxes as the same were subject to previous to such letting or sale (except the taxes for the recovery of which the same shall be sold as aforesaid).

(4) Provided also and it is hereby enacted that in all cases where any lands buildings or premises shall be let by the Board under the powers of this section for raising any taxes due for the same such lands buildings or premises shall (after the expiration of the term for which the same shall be so let and after payment of the said taxes and all expenses incurred by the Board or their collectors receivers or agents in and about the letting of the same and in and about the recovery of such taxes which expenses the Board or their collectors receivers or agents are hereby authorised and required to deduct and retain out of the rents arising and received from or in respect of such lands buildings or premises) revert to the owner thereof

and other the parties interested therein and be as fully and effectually vested in him and them to all intents and purposes whatsoever as if the same had never been let by the Board. A.D. 1911.

PART VII.

FINANCIAL.

**75.**—(1) The Board may borrow on mortgage of the general drainage tax— Power to borrow on mortgage of general drainage tax and additional tax.

(a) For the purposes of Part III. of this Act or any of those purposes any sums not exceeding in the whole the sum of ten thousand pounds;

(b) For the purpose of discharging their obligations under the section of this Act of which the marginal note is “Board to repay private commissioners certain expenses” the sum necessary for that purpose; and

(c) For the purpose of discharging their obligations under the section of this Act of which the marginal note is “Board to contribute to costs of Act” including the repayment of the money (if any) advanced by any owner or proprietor or any other person for the purposes mentioned in that section or any of them with interest for the same any sum not exceeding five hundred pounds.

(2) The Board may borrow on mortgage of the additional tax any sums not exceeding in the whole the sum of two thousand pounds for the purposes of Part IV. of this Act or any of those purposes.

(3) The Board may borrow on mortgage of the general drainage tax or of the additional tax (as the case may require) for the purpose of repaying any moneys under the second proviso to the section of this Act of which the marginal note is “Recovery of rentcharges and moneys due or accruing” the sum necessary for that purpose.

**76.**—(1) The Board may from time to time in addition to any other moneys which they are authorised to borrow under the provisions of this Act borrow at interest for the purposes of the water undertaking any sum or sums of money not exceeding one thousand pounds. Power to borrow for purposes of water undertaking.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of interest thereon the Board

A.D. 1911. — may mortgage and charge the rates funds and revenues of the Board in respect of the water undertaking and if they think fit (by way of collateral security) the general drainage tax and the additional tax or either of those taxes.

Power to re-borrow.

**77.** The Board may (except as hereinafter provided) re-borrow for the purpose of paying off any moneys borrowed or re-borrowed under this Act which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Board within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow. Provided that the Board shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose. Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid on or before the expiration of the period within which the original loan would have been repayable.

As to re-payment of borrowed money.

**78.** All moneys borrowed by the Board under the authority of this Act shall be paid off within thirty years from the date or respective dates of borrowing the same.

Mode of payment off of money borrowed.

**79.** The Board shall pay off all moneys borrowed by them on mortgage under the powers of this Act by equal yearly or half-yearly instalments of principal or of principal and interest combined and the payment of the first instalment shall be made within twelve months if by yearly repayments or within six months if by half-yearly repayments from the time of borrowing the sum in respect of which the payment is made.

Appointment of receiver.

**80.**—(1) Any mortgagee of the Board by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver provided that such payment is six months in arrear:

The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole.



(2) The application for the appointment of a receiver shall be made to the High Court. A.D. 1911.

**81.** In case the Board shall at any time while any money shall remain due on any mortgage made under the powers of this Act neglect or refuse to exercise all or any of the powers by this Act given to them for raising taxes so as to meet and provide for the payment of the principal moneys or interest due on any such mortgage or any part thereof respectively according to the terms of such mortgage then and in every such case the mortgagees of the taxes by this Act authorised or any of them their executors administrators and assigns respectively for the purpose of obtaining and enforcing the payment of interest or the repayment of principal moneys due on any such mortgage (as the case may require) shall have and may exercise (so far as regards the taxes included in their respective mortgages) the same or the like powers rights and remedies for assessing taxing and charging the several lands within the drainage district and for collecting receiving and enforcing the taxes so assessed as are by this Act and the Acts incorporated with this Act given to the Board for the like purposes.

Mortgagees may levy taxes if Board neglect to do so.

**82.** All moneys to be received from the general drainage tax and the general revenue of the Board shall be applied as follows:—

Application of general drainage tax.

First In paying the expenses of management and of maintaining cleansing and scouring the general drainage works of the drainage district:

Secondly In paying the interest of all moneys borrowed on the credit of the general drainage tax and (if and so far as may be necessary for giving effect to any collateral charge) in paying the interest of moneys borrowed for the purposes of the water undertaking:

Thirdly In paying at their due date any instalments of the principal of the moneys so borrowed as aforesaid:

Fourthly In deepening widening cleansing and improving the existing drains and constructing new drains and works of drainage within the drainage district:

Fifthly In improving and maintaining the drainage of the drainage district into the drains or cuts through or by means of which such drainage is pursuant to any Act of Parliament to be conveyed to the sea:

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Sixthly In paying off the balance of the principal of the moneys so borrowed as aforesaid in such order as the Board shall think proper.

Application  
of moneys  
borrowed  
on general  
drainage tax.

**83.** All moneys to be raised by mortgage of the general drainage tax (other than moneys borrowed by way of collateral security on the credit of that tax for the purposes of the water undertaking) shall be applied as follows:—

First For the purposes (b) and (c) specified in subsection (1) and the purpose specified in subsection (3) of the section of this Act of which the marginal note is "Power to borrow on mortgage of general drainage tax and additional tax" or any of those purposes except so far as those purposes or any of them may be discharged otherwise than out of moneys raised by mortgage of the general drainage tax:

Secondly In paying the costs and expenses of and incidental to the promotion of or opposition to Provisional Orders Bills in Parliament and other parliamentary proceedings under the authority of this Act and of the arrangements and proceedings preparatory thereto:

Thirdly In reconstructing existing drains and constructing new drains and works of drainage within the drainage district:

Fourthly In further improving the drainage of the drainage district.

Application  
of additional  
tax &c.

**84.—**(1) All moneys to be received from the additional tax shall be applied as follows:—

First In paying the expenses incurred by the Board under Part IV. of this Act:

Secondly In paying the interest on all moneys borrowed on the credit of the additional tax and (if and so far as may be necessary for giving effect to any collateral security) in paying the interest of moneys borrowed for the purposes of the water undertaking:

Thirdly In paying at their due date any instalments of the principal of the moneys so borrowed as aforesaid:

Fourthly In paying off the balance of the principal of the moneys so borrowed as aforesaid in such order as the Board shall think proper.

(2) All such moneys in the nature of revenue as are referred to in the section of this Act of which the marginal note is "As to transfer of sewerage works to rural district council of Thorney" shall be applied in the manner hereinbefore provided with respect to moneys to be received from the additional tax and subject thereto in the manner provided by the section of this Act of which the marginal note is "Power to levy additional tax."

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**85.**—(1) All moneys to be raised by mortgage of the additional tax (other than moneys borrowed by way of collateral security on the credit of that tax for the purposes of the water undertaking) shall be applied for such of the purposes of Part IV. of this Act to which capital is properly applicable as the Board may from time to time determine.

Application of moneys borrowed on additional tax &c.

(2) All such moneys in the nature of capital as are referred to in the section of this Act of which the marginal note is "As to transfer of sewerage works to rural district council of Thorney" shall be applied in the first instance in or towards the repayment of any moneys borrowed wholly or partly on the credit of the additional tax and subject thereto in the manner provided by the section of this Act of which the marginal note is "Power to levy additional tax."

**86.** A person lending money to the Board shall not be bound to inquire as to the observance by the Board of any of the provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

Protection of lenders from inquiry.

**87.** The Board shall not be bound to see to the execution of any trust whether express or implied or constructive to which any loan or security for loan given by them under the authority of this Act may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages shall from time to time be a sufficient discharge to the Board in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Board have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest therein not entered on their register and the Board shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any such money.

Board not to regard trusts.

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Separate  
accounts.

88. The Board shall keep separate accounts of their receipts and expenditure in respect of (a) the purposes of Part III. of this Act (b) the purposes of Part IV. of this Act and (c) the purposes of the water undertaking.

## PART VIII.

### TRANSITORY PROVISIONS.

Nothing to  
affect pre-  
vious rights  
and lia-  
bilities.

89. Except as is by this Act otherwise expressly provided everything before the commencement of this Act done or suffered by or with reference to the private commissioners shall be as valid as if the Board had not been constituted and the private commissioners had not been dissolved by this Act and such constitution and dissolution and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered and to all rights liabilities claims and demands both present and future which if the Board were not constituted and the private commissioners were not dissolved by this Act and this Act were not passed would be incident to or consequent on any and every thing so done or suffered and with respect to all such rights liabilities claims and demands the Board and their property shall to all intents and purposes represent the private commissioners and the property of the said commissioners as the case may be and the generality of this enactment shall not be restricted by any of the other provisions of this Act.

Contracts  
prior to Act  
to be binding.

90. Except as is by this Act otherwise expressly provided all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the commencement of this Act by to or with the private commissioners or any trustees or persons acting on behalf of those commissioners or by to or with any other person to whose rights and liabilities they have succeeded and in force at the commencement of this Act shall be as binding and of as full force and effect in every respect against or in favour of the Board and may be enforced as fully and effectually as if instead of the private commissioners or the trustees or persons acting on their behalf the Board had been a party thereto.

Actions &c.  
not to abate.

91. Nothing in this Act contained shall release discharge or suspend any action or other proceeding which was pending by or against the private commissioners or to which the private commissioners were parties immediately before the commence-

ment of this Act but such action or other proceeding may be maintained prosecuted or continued by or in favour of or against the Board (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the private commissioners if this Act had not been passed the Board being in reference to the matters aforesaid in all respects substituted for the private commissioners.

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**92.** From and after the commencement of this Act and except as is by this Act otherwise expressly provided the Board shall in all respects be subject to and shall discharge all obligations and liabilities to which the private commissioners immediately before the commencement of this Act were subject and shall indemnify the members officers and servants of the private commissioners and their respective representatives from all such obligations and liabilities and from all expenses and costs in that behalf.

Board to satisfy liabilities of private commissioners.

**93.** All rentcharges and sums of money which immediately before the commencement of this Act were due or accruing to the private commissioners shall be payable to and may be collected and recovered by the Board in like manner as if they had become payable under this Act and shall be applied by the Board to the like purposes as those to which moneys charged by means of a general drainage tax or an additional tax (as the case may be) upon the lands in respect of which such rentcharges or sums of money are payable would have been applicable :

Recovery of rentcharges and moneys due or accruing.

Provided that if any rentchargee shall have made to the private commissioners in accordance with the provisions of the water deed or shall make to the Board in accordance with the provisions of this Act any half-yearly payments on account of his rentcharge in respect of any period subsequent to the commencement of this Act he shall be entitled to deduct the amount so paid in respect of such subsequent period as aforesaid from the tax or taxes payable by him under the provisions of this Act in respect of the same period as and when such tax or taxes shall fall due :

Provided also that if any rentchargee shall have paid to the private commissioners any moneys for or towards the redemption of his rentcharge the amount so paid shall be deemed a debt repayable by the Board to the rentchargee with interest after the rate of three per centum per annum from the

A.D. 1911. — date when such amount was paid until the same shall be repaid by the Board and he shall be entitled to set off the amount of such interest against the amount of any tax or taxes for the time being payable by him under the provisions of this Act in respect of the premises charged with the said rentcharge as and when such tax or taxes shall fall due.

Books to continue evidence.

**94.** All documents books and writings which if the private commissioners had not been dissolved would have been receivable in evidence shall be admitted as evidence in all courts and elsewhere notwithstanding such dissolution.

Officers to continue until removed.

**95.** All officers and servants of the private commissioners who were in office immediately before the commencement of this Act shall hold and enjoy their respective offices and employments together with the salaries and emoluments thereunto annexed until they shall resign the same or be removed therefrom by the Board and shall be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed under this Act.

Board to repay private commissioners certain expenses.

**96.** The Board shall within six months after the commencement of this Act repay to the private commissioners out of moneys to be raised by the general drainage tax or out of moneys to be borrowed by them on the security of that tax all costs charges and expenses properly incurred by the private commissioners—

(a) in respect of the preparation and execution of the water deed and the exercise and performance of the powers and duties thereby conferred and imposed upon them; and

(b) in respect of or incidental to the passing of this Act;

except so far as such costs charges and expenses shall have been defrayed out of moneys raised by way of rentcharges created under the water deed.

## PART IX.

### MISCELLANEOUS.

All other property of private commissioners to vest in Board.

**97.** All property rights privileges and assets of the private commissioners not vested in the Board under the other provisions of this Act shall by virtue of this Act vest in the Board.

98.—(1) The persons who at the commencement of this Act are North Level Commissioners representing the Third District shall as from the third day of June one thousand nine hundred and twelve cease to be such commissioners and to be Nene Outfall Commissioners and the following provisions shall apply with respect to the representation of the Third District upon the North Level Commission and the Nene Outfall Commission (that is to say):—

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—  
As to representation on North Level Commission and Nene Outfall Commission.

(i) Every person for the time being acting as a proprietary member or nominated member of the Board shall be and continue a North Level Commissioner representing the Third District and a Nene Outfall Commissioner. Provided that any proprietary member of the Board may instead of acting personally as a North Level Commissioner or a Nene Outfall Commissioner by writing under his hand deposited with the clerk of the Board not later than the last Monday in May in any year nominate some person to be a North Level Commissioner and a Nene Outfall Commissioner on his behalf and may from time to time withdraw any such nomination and make a new nomination:

(ii) The Board shall in each year name and appoint so many other persons to be for the next ensuing year North Level Commissioners as together with the persons (if any) who are for the time being such commissioners by virtue of the preceding subsection of this section shall make thirty-four commissioners and the persons so named and appointed shall so long as they shall continue to be North Level Commissioners be and continue commissioners of the Nene outfall:

(iii) The clerk of the Board shall within seven days after each such appointment by notice in writing signed by him and sent or delivered to the clerk to the North Level Commissioners and to the clerk to the Nene Outfall Commissioners state the names and addresses of all the persons for the time being entitled to be North Level Commissioners and Nene Outfall Commissioners in accordance with the provisions of this section and shall by a like notice in writing intimate to the clerk to the North Level Commissioners and to the clerk to the Nene Outfall

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Commissioners any alterations in the persons so entitled which shall occur from time to time :

- (iv) The persons for the time being acting as Nene Outfall Commissioners under or by virtue of this section shall for the purposes of the Acts relating to the Nene Outfall Commission be deemed to have been named or chosen as such commissioners under the authority of the Act 27 Geo. II. cap. 19.

(2) All rights of the Duke his heirs or assigns or his or their lawful attorney of being (except under subsection (1) of this section) a North Level Commissioner or a Nene Outfall Commissioner or of naming and appointing persons to be North Level Commissioners or Nene Outfall Commissioners shall be and are by this Act repealed.

Power to promote and oppose Bills &c.

**99.** The Board shall have power to promote or oppose Provisional Orders and Bills in Parliament and to take parliamentary proceedings and to enter into and make the necessary preparatory arrangements therefor in matters which in the opinion of the Board are connected with the purposes of this Act.

Annulling water deed and certain provisions of purchase deeds.

**100.** Subject to the provisions of this Act the water deed and such of the provisions of the purchase deeds as relate to the preparation and contents of the water deed and to the matters referred to in the sections of this Act of which the marginal notes are respectively "Defining powers of Board with respect to drainage and irrigation" "Dykes and ditches to be kept of a certain depth and cleansed" "Penalty on throwing rubbish into drains" "Power to Board to execute works and recover expenses" and "Certain offences in relation to banks" and as require the purchasers and their assigns to insert certain covenants therein specified in any future conveyances by them of the lands and premises sold to them respectively or require the Duke or the will trustees to insert similar covenants in any future conveyance of lands situate within the Third District shall be and the same are hereby annulled and as from the commencement of this Act the purchase deeds shall be read and construed as if they had not respectively contained or reserved any power of appointment or direction to uses by the will trustees.

Power to acquire land by agreement.

**101.** The Board may in addition to the lands by this Act vested in them and any lands held by them under the provisions



of the section of this Act of which the marginal note is "Power to hold lands for protection of waterworks" from time to time for the purposes of any of their powers and duties under this Act acquire purchase take on lease or exchange (by agreement but not otherwise) and hold any lands not exceeding in the whole one hundred acres or any easements or rights over or in land but nothing in this Act shall exempt the Board from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them upon any lands so acquired purchased taken on lease or taken in exchange.

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**102.**—(1) The Board shall have full power to manage any land and to manage alter and enlarge any buildings for the time being vested in them.

Power to deal with land &c.

(2) The Board may from time to time sell lease let exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands for the time being belonging to them and not required for the purposes of any of their powers or duties and may sell and exchange and dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

**103.** Except in the case of the sale or letting of lands under the provisions of the section of this Act of which the marginal note is "Lands may be let or sold for payment of taxes"—

Application of proceeds of sale &c.

(a) All capital moneys received by the Board on any sale disposition or exchange of lands and all fines and premiums received by them on the grant or renewal of any lease shall be applied in or towards the repayment of any moneys borrowed by the Board for purposes in connection with which they hold or held such lands and for the time being owing and if there shall be no such moneys owing such proceeds of sale disposition or exchange fines and premiums shall be applied by the Board to such purposes as

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the Board may think fit (being in all cases purposes to which capital moneys are properly applicable) in connection with the performance of such of their powers and duties as relate to the purposes in connection with which they hold or held such lands:

- (b) All rents annual payments or moneys received by the Board on revenue account from or in respect of the sale or letting of lands shall be applied in or towards the payment of interest on moneys borrowed by the Board for purposes in connection with which they hold or held such lands and for the time being owing and if there shall be no such moneys owing then in such manner and to such purposes as the Board may think fit (being in all cases purposes to which such moneys received on revenue account are properly applicable) in connection with the performance of such of their powers and duties as relate to the purposes in connection with which they hold or held such lands.

Power to  
lease herbage.

**104.** The Board may let either by public auction or private contract the grass and herbage growing and accruing in or upon any of the occupation roads or droveways or the banks erected thereon or other ground belonging to or vested in the Board under the powers of this Act to any persons willing to take the same for such term as they may think fit and at the best rents obtainable and with under and subject to such conditions covenants provisions and agreements as may be agreed upon between the Board and such persons.

Power to  
catch moles  
&c.

**105.**—(1) The Board shall have full power and they are hereby authorised to destroy all such moles and other vermin as shall be found in and about the lands and banks within the drainage district and for that purpose to employ such person or persons at such wages and salary as they shall think proper and any person or persons so employed and holding the written authority of the Board shall and lawfully may at all reasonable hours enter into and upon the said lands and banks or any or either of them for that purpose.

(2) Every person who shall at any time obstruct the Board or any person employed by them in the performance of anything which they are empowered to do under this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence.

**106.**—(1) If any person for any purpose except for the repair and maintenance of the drains and watercourses within the drainage district shall unload or cast out of any boat or from any cart or wagon or from any house warehouse or other building quay yard garden bank place or ground any ballast sand stones chalk rubbish filth gravel or ashes or any other gross substance whatsoever into any of the drains or watercourses within the drainage district so as to impede the flow of water along such drain or watercourse he shall for every such offence be liable on conviction to a penalty not exceeding five pounds and if he shall not within fourteen days next after notice in writing in that behalf shall be given to him by the Board remove from such drain or watercourse such ballast sand stones chalk rubbish filth gravel ashes or other gross substance as aforesaid the Board may cause the same to be removed and may recover the charges and expenses thereof from such person as aforesaid.

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Penalty on  
throwing  
rubbish into  
drains.

(2) Every person who shall at any time obstruct the Board or any person employed by them in the performance of anything which they are empowered to do under this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence.

**107.** Every person who—

(a) sets or places any fishing net eel trap eel leap or other device or thing in any drain or watercourse maintained by the Board so as to impede the flow of water in such drain or watercourse; or

(b) without the previous consent in writing of the Board lets any water from without the drainage district into any of the drains or watercourses within the drainage district;

shall be liable on conviction to a penalty not exceeding five pounds.

Penalty on  
persons  
committing  
offences  
named.

**108.**—(1) If any person shall—

(a) make erect build plant maintain or continue any building hedge stile gate or fence upon any of the banks vested in or belonging to the Board of any drain or watercourse; or

(b) allow any tree to grow upon the said banks or so as to endanger the security of the said banks or any works of the Board in such banks;

Power to  
Board to  
execute  
works and  
recover ex-  
penses.

A.D. 1911. and shall not remove any such building hedge stile gate fence or tree as aforesaid for the space of twenty-one days next after notice in writing so to do shall have been given to him or left at his usual place of abode the Board may (without prejudice to any proceedings or other remedy available to them under the other provisions of this Act) execute all such works and do all such acts and things as they may deem necessary or expedient in the circumstances of the case and recover from such person the charges and expenses incurred by them in so doing.

(2) Every person who shall at any time obstruct the Board or any person employed by them in the performance of anything which they are empowered to do under this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence.

Certain  
offences in  
relation to  
banks.

**109.**—(1) If any person shall—

- (a) Cut or dig any turves hods or sesses within the drainage district within the distance of sixty feet from any banks which are already made or shall be made by the Board; or
- (b) Make any soak-dyke or ditch or soak-griple within the drainage district within sixty feet from any such bank as aforesaid; or
- (c) Make construct or excavate within the drainage district any watering place or place of access for cattle to drink in any drain within the drainage district belonging to or used by the Board; or
- (d) Fodder any of his cattle or stock upon or wilfully or negligently suffer his cattle stock or swine to stray or feed upon or to root up the soil of or otherwise damage the bank of any drain within the drainage district in such a manner as to cause injury to or the choking up or obstruction of any drain belonging to or used by the Board; or
- (e) Injure the banks vested in or belonging to the Board of any drain or watercourse or any works of the Board in such banks by dredging digging ploughing or reducing the same or otherwise; or
- (f) By any other act endanger the security of the said banks drains watercourses or works or diminish the waterway in such drains or watercourses or impede the drainage thereof or the passage of water along the same;

every such person shall be liable to a penalty not exceeding five pounds and if any act contravening the provisions of this section results in injury to or the choking up or obstruction of any drain within the drainage district belonging to or used by the Board the Board may require the owner or occupier of the land on which such act is committed to repair or remove the injury choking up or obstruction and if such requisition is not complied with the Board may themselves execute the works necessary for complying with the same and the expenses attending such works shall be reimbursed to the Board by the owner or occupier in default.

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(2) Every person who shall at any time obstruct the Board or any person employed by them in the performance of anything which they are empowered to do under this section shall be liable on conviction to a penalty not exceeding five pounds for every such offence.

**110.** All penalties forfeitures charges and expenses imposed or recoverable under this Act may (unless otherwise in this Act expressly provided) be recovered summarily before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts Provided that costs charges or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of penalties &c.

**111.** All penalties and forfeitures which under the provisions of this Act or of any Act incorporated herewith shall become payable by any person on the prosecution of the Board shall be awarded and paid over to the Board and shall be by them applied for such of the purposes of this Act as they may think fit.

Application of penalties.

**112.** Notices orders summonses and any other documents required or authorised to be served under this Act by the Board may be served by post or by delivering the same to or at the residence of the person to whom they are respectively addressed or where addressed to the owner or occupier of premises by delivering the same or a true copy thereof to some person on the premises or if there is no person on the premises who can be so served by fixing the same on some conspicuous part of the premises.

Service of notices &c.

**113.—**(1) In case there shall be any discrepancy between the area of any of the lands specified in the second part of the First Schedule to this Act as stated in the said second part and

As to discrepancies between plans and descriptions.

A.D. 1911. as appearing from the signed Plan B the said second part shall prevail and the area of such lands as therein stated shall be deemed to be the area of the said lands for all or any of the purposes of this Act.

(2) If there shall be any discrepancy between the boundaries of the urban area as delineated on the signed Plan A and the signed Plan B respectively the signed Plan A shall prevail.

As to notices to be served by Second District Commissioners.

**114.** All notices which under the Act 13 Geo. III. cap. 40 any five or more of the commissioners appointed for the Second District of the North Level are required to give to the steward of the devisees in trust under the will of John Duke of Bedford or of the Duke of Bedford for the time being by leaving the same at the Manor House in Thorney shall be deemed to be duly given if served upon the Board by sending the same by post to or delivering the same at the principal office of the Board.

Recovery of demands.

**115.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Liability of other persons to scour out drains not to be affected.

**116.** Except as by this Act expressly provided nothing in this Act contained shall extend or be construed to extend to affect or alter the liability of or the obligation on any body or bodies politic or corporate or any commissioners or any other persons to scour out the drains and watercourses within the drainage district or any of them or to repair or do any of the banks sluices or other works hereby directed or authorised to be repaired or done or to fix the same upon the Board or upon the owners or occupiers of lands and grounds hereby directed to be taxed or assessed or any of them but such liability shall remain as if this Act had not been passed.

For protection of other drainage districts.

**117.** Except as by this Act expressly provided nothing in this Act contained shall authorise the Board to do within or without the drainage district any work act or thing which may interfere with any other drainage district or prejudicially affect any banks works watercourses lands rights interests or liabilities of any body or person without the drainage district.

**118.** Except as by this Act expressly provided nothing contained in this Act shall extend or be construed to extend to invalidate lessen diminish alter or take away any of the rights powers and authorities now vested in the North Level Commissioners whether as successors of the governor bailiffs and commonalty of the company of conservators of the Great Level of the Fens called Bedford Level or of the said governor bailiffs and conservators or otherwise by virtue of any Act or Statute whatsoever or any of the rights powers and authorities of the Nene Outfall Commissioners but except as aforesaid all such rights powers and authorities shall remain continue and be vested in the said commissioners respectively as fully and amply to all intents and purposes as if this Act had not been passed.

A.D. 1911.  
Saving  
rights of  
North Level  
Commis-  
sioners and  
Nene Outfall  
Commis-  
sioners.

**119.** Save as expressly provided in the section of this Act the marginal note whereof is "As to alterations of Dog-in-a-Doublet and Standground Sluices" nothing in this Act contained shall extend or be construed to extend to invalidate lessen diminish alter affect or take away any of the rights powers privileges and authorities vested in the Middle Level Commissioners.

Saving  
rights of  
Middle Level  
Commis-  
sioners.

**120.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Crown  
rights.

**121.** The Board shall within six months after the commencement of this Act pay to the Duke out of any of their funds or revenues or out of money to be borrowed by them for the purpose the sum of five hundred pounds towards the costs charges and expenses incurred by the Duke of and incidental to the applying for obtaining and passing of this Act or otherwise in relation thereto.

Board to  
contribute to  
costs of Act.

A.D. 1911. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

(Referred to in Preamble and Sections 5 and 113.)

FIRST PART.

| Nos. on signed Plan A.             | Description of Property.   | Owners or reputed Owners. |
|------------------------------------|--|---------------------------|
| Pt. 10 and 11                      | A piece of land with buildings thereon to the north of Peterborough Road and to the west of Mill Drove in the occupation of Messrs. W. G. Bland and J. G. Bland.   | John Glenday Bland.       |
| Pt. 119 122<br>pt. 123 and<br>132. | A messuage and shop with buildings in the rear to the south of Wisbech Road and on the east side of and adjoining Whittlesey Road and in the same occupation.  | Do.                       |
| Pt. 24                             | A piece of land on the north side of Wisbech Road with the buildings thereon now or lately in the occupation of J. Green and R. Franklin.  | Robert Thomas Smith.      |
| 151                                | A piece of land on the south side of the Green and to the east of Whittlesey Road with the messuage thereon in the occupation of Robert Thomas Smith.  | Do.                       |
| 152                                | A piece of land on the east side of Whittlesey Road and on the west side of the last-mentioned premises with the messuage thereon erected now or lately in the occupation of Miss Elsum.   | Do.                       |
| 153                                | All those four messuages or cottages on the east side of Whittlesey Road and on the south side of the last-mentioned premises known as Cottages Nos. 5 to 9 Whittlesey Road.   | Do.                       |
| 154                                | A piece of land on the east side of Whittlesey Road and on the south side of the last-mentioned premises with the messuage thereon erected formerly known as The Globe public-house and now or formerly let to the Rev. Joshua Cautley as president of the Mutual Improvement Society. | Do.                       |
|                                    | A piece of land on the east side of Whittlesey Road and on the south side of the last-mentioned premises with the stables erected thereon and the yard thereto now or lately in the occupation of Thomas King.   | Do.                       |



| Nos. on signed Plan A.   | Description of Property.   | Owners or reputed Owners.                           |
|--------------------------|--|---|
| 71 and 72                | A piece of garden ground near the boys' school situate on the east side of Mill Drove as to part now or lately in the occupation of Alfred Law and as to part in hand.   | Robert Thomas Smith.                                |
| 28 and 29                | A piece of land on the north side of Wisbech Road with the eight several cottages thereon known respectively as Nos. 42 to 49 Wisbech Road North.  | Do.   |
| Pt. 18 19 21 and 22.     | A piece of land situate on the north side of Wisbech Road with the fourteen several cottages thereon known respectively as Nos. 22 to 35 Wisbech Road North.   | Do.   |
| 34 and pt. 32            | A piece of land situate on the north side of Wisbech Road with the eight several cottages thereon known respectively as Nos. 57 to 64 Wisbech Road North.  | Do.   |
| 78                       | A piece of land with the buildings thereon to the north side of Wisbech Road North and on the south side of the water and sewage works and now or lately in the occupation of Edward William Smith and Robert Thomas Smith.  | Edward William Smith.                               |
| Pt. 15 17 pt. 18 and 20. | A piece of land situate on the north side of Wisbech Road with the fourteen several cottages thereon known as Nos. 8 to 21 Wisbech Road North.   | Do.   |
| Pt. 32 and 33            | A piece of land situate on the north side of Wisbech Road with the seven several cottages thereon known as Nos. 50 to 56 Wisbech Road North.   | Do.   |
| Pt. 95 102 103 and 104.  | A messuage and garden situate in Church Street now or lately in the occupation of H. Williams and the three cottages known as Nos. 9 10 and 11 Church Street.  | Do.   |
| 76 and 77                | A piece of garden ground situate on the east side of Mill Drove and adjoining on the south side the Thorney Estate Office and now or lately in the occupation partly of the said E. W. Smith and R. T. Smith and partly of the People's Refreshment House Association Limited. | Do.   |
| 133 and 134              | Two messuages and shops Nos. 3 and 4 Abbey Place situate on the east side of Whittlesey Road in the respective occupations of the said E. W. Smith and R. T. Smith and Frederick Goodwin and shed in the occupation of Mr. Cave.   | Do.   |
| 61 to 70 73 73A and 79.  | The Rose and Crown Hotel - - -   | The People's Refreshment House Association Limited. |

A.D. 1911.

| Nos. on signed Plan A.   | Description of Property.  | Owners or reputed Owners.  |
|--|---|--|
| 51 52 53 80<br>and pt. 81.   | A messuage and shop and four cottages known as Nos. 78 79 80 81 and 82 Wisbech Road North and building land in the rear and on the north side thereof and the gardens adjoining the same.   | Rowland Buckworth and Leonard Foreman Buckworth.   |
| Pt. 15 and 16  | Nos 1 to 7 Wisbech Road North - -   | The representatives of Joseph Topham deceased.   |
| 91 92 93 and<br>94.  | Nos. 1 and 3 Wisbech Road South - -   | Do.  |
| 233  | Park Farm House and premises - -  | Do.  |
| 125  | No. 14 Wisbech Road South - -   | Mary Elizabeth Peach.  |
| 106 to 109<br>111 to 117<br>pt. 119 120<br>121 pt. 123<br>and 126 to<br>131. | Nos. 16 and 18 Wisbech Road South No. 1 Abbey Place and the warehouses and buildings in the rear thereof and the workshops now or lately in the occupation of Hugh Cave and the garden ground adjoining and Nos. 14 15 16 and 17 Church Street.   | William Amps.  |
| 110 and 124  | Nos. 11 12 and 13 Wisbech Road South now or lately in the respective occupations of C. G. Brommell F. J. Gilbert and the county police.   | Do.  |
| 9 pt. 10 12<br>and pt. 13.   | A piece of land at the junction of the Peterborough Road and Mill Drove with the maltings and buildings thereon now or lately in the respective occupations of the Thorney District Council William Amps Hugh Cave's executors William Cousins E. Peach's representatives and William Cave. | Alfred Alcock.   |
| 42 to 46 and<br>121A.  | Two pieces of land situate on the east and west sides of Gas Lane with the buildings thereon now or lately in the respective occupations of Alfred Alcock W. Woodcock F. Goodwin W. G. Hargraves F. Berridge C. Siggee B. Watkins and Jane Browning.  | Do.  |
| Pt. 24 25 26<br>and 27.  | Nos. 36 to 41 Wisbech Road North -  | Hugh Robert Brodie.  |
| 35   | Nos. 65 and 66 Wisbech Road North -   | George Forth.  |
| 30 and 31  | Garden ground situate on the north side of Wisbech Road in the occupation of John Thomas Brown.   | John Thomas Brown.   |
| Pt. 32 and 36  | Nos. 67 and 68 Wisbech Road North and garden land situate at the north thereof.   | Rev. William Symons.   |
| 38 39 40 41<br>and pt. 47.   | Two pieces of land on the east and west sides of Gas Lane with the workshops and buildings thereon in the occupation of Frederick William Goodwin.  | Frederick William Goodwin.   |
| 48 49 and 50   | Nos. 71 to 77 Wisbech Road North and the buildings in the rear thereof used as blacksmiths' and wheelwrights' premises.   | John Bailey Daniel Pratt and Thomas Manning as trustees for the Thorney New Benefit Society. |

A.D. 1911.

| Nos. on signed Plan A.  | Description of Property.   | Owners or reputed Owners.  |
|-------------------------|--|--|
| Pt. 81                  | Garden ground on the west side of Gas Lane now or lately in the occupation of William Woodcock Samuel Carter and Eliza Russell.  | William Woodcock.  |
| Pt. 81                  | Garden ground on the west side of Gas Lane now or lately in the occupation of R. J. Whittam and F. Goodwin.  | Robert John Whittam.   |
| 56 to 60                | Nos. 85 to 89 Wisbech Road North   | Marshall Chapman<br>Hanson.  |
| Pt. 155 and 157 to 159. | The Steward's House on the east side of Whittlesey Road with the garden with pasture plantation and cottages Nos. 12 and 13 Whittlesey Road with gardens thereto.  | Miss Mary Hurry Gee.   |
| 97 to 101               | Nos. 5 6 7 and 8 Wisbech Road South and Nos. 1 and 2 Church Street.  | Thomas Farrow.   |
| 74 and 75               | Boys' school house and schoolmaster's residence and premises on the east side of Mill Drove.   | Sir Walter Roper Lawrence Bart. G.C.I.E. and the Hon. Victor Alexander Frederick Villiers Russell. |
| 118                     | Girls' and infants' school teachers' residence and premises on the north side of Church Street.  | Do.  |
| 135 to 137              | Two pieces of land with the messuages and shops and buildings thereon situate at the junction of Whittlesey Road and Church Street now or lately in the respective occupations of William Cave and Tom Harker Laud.  | William Cave.  |
| Pt. 95 96 and 101A.     | No. 4 Wisbech Road South   | Rev. Henry Arthur Penzer.  |
| 149 pt. 155 and 138.    | House and land on the east side of The Green in the occupation of Dr. Lawrence Clapham cottages Nos. 10 and 11 Whittlesey Road and a piece of land at the junction of Peterborough Road and Whittlesey Road formerly the site of the Duke's Head public-house. | Dr. Harold Clapham.  |
| 139                     | Nos. 8 and 9 Abbey Place   | George Alfred Slack Crick.   |
| 148                     | Thorney Vicarage   | The Ecclesiastical Commissioners for England.  |
| 1 to 5                  | House No. 86 Causeway smithy buildings and yard and 4 cottages Nos. 81 82 83 and 85 Causeway.  | John Frederick Alderman.   |
| 6                       | Garden ground and plantation adjoining on the west side the Primitive Methodist chapel on the north side of Peterborough Road.   | John Massey.   |
| 7 and 8                 | Primitive Methodist chapel on the north side of Peterborough Road.   | The Rev. John William Lisle and others.  |

[Ch. clxxxvii.] *Thorney Drainage Act, 1911.* [1 & 2 GEO. 5.]

A.D. 1911.

| Nos. on signed Plan A. | Description of Property.                                      | Owners or reputed Owners.   |
|------------------------|---|---|
| 82                     | Thorney Gasworks - - - -                                      | Thomas Edward Fullard<br>Edward William Smith<br>Robert Thomas Smith<br>Charles Edward Askew. |
| Pt. 32 and 37          | Nos. 69 and 70 Wisbech Road North and garden land.            | Ernest Gee.   |
| 140 to 144 and 144A.   | Thorney Abbey House lawn kitchen garden abbey rooms and yard. | John Edward Morton.   |
| 54                     | No. 83 Wisbech Road North - - -                               | John Pickering.   |
| 55                     | No. 84 Wisbech Road North - - -                               | Thomas Halford.   |

SECOND PART.

| Local Division in which Property is situate. | Nos. on signed Plan B.   | Description of Property.   | Owners or reputed Owners.     | Acreage.            |
|--|--------------------------|--|-------------------------------|---------------------|
| Wryde Croft -                                | 17 to 37                 | Malice Off Farm - - - -  | Thomas Gee - -                | A. R. P.<br>208 3 5 |
| Do. -  | 65 to 68                 | Wryde Croft Parsonage - - -  | Do. - -                       | 4 2 13              |
| Do. -  | 56 to 63 and 72 to 76    | } Wryde Lands Farm - - - -   | Do. - -                       | 567 1 36            |
| Morris Fen -                                 | 450 to 464               |  |                               |                     |
| Wryde Croft -                                | 78 to 89                 | Archer's Drove Farm - - -  | Do. - -                       | 153 1 19            |
| Lower Knarr Fen.                             | 128 to 148               | Poplar's Farm - - - -  | Do. - -                       | 199 3 33            |
| Fish Fen -                                   | 48                       | Pasture in Fish Fen - - -  | Do. - -                       | 24 3 11             |
| Lower Knarr Fen.                             | 81 to 121                | } Knarr Cross Farm - - - -   | Arthur Gee - -                | 426 3 19            |
| North Fen -                                  | 152 and 153              |  |                               |                     |
| Do. -  | 88 to 107                | Middle Farm North Fen - - -  | Do. - -                       | 247 0 0             |
| Wryde Croft -                                | 105 to 134               | Old Wryde Farm - - - -   | William Gee - -               | 412 0 36            |
| Middle Knarr Fen.                            | 86 pt. 87 and 88 to 101  | Pigeon's Off Farm - - - -  | Do. - -                       | 202 2 27            |
| North Fen -                                  | 2 to 15                  | } Old Hall Farm - - - -  | Tom Berry - -                 | 443 0 34            |
| Bonnett's Pieces                             | 17 to 41                 |  |                               |                     |
| Little Knarr Fen                             | 1 15 to 22 and 24 to 52. | Knarr Farm- - - -  | Edmund Whittome -             | 320 2 21            |
| Wryde Croft -                                | 33 to 55                 | Gold Dike Farm - - - -   | Walter Bettinson -            | 304 3 18            |
| Do. -  | 90 to 104                | New Cut Farm - - - -   | Franklyn Phillips -           | 200 1 22            |
| Do. -  | 1 to 16                  | Malice Farm - - - -  | Charles Ireland -             | 216 2 3             |
| North Fen -                                  | Pt. 135 138 and 139      | Pasture in North Fen lately in the occupation as to No. 135 of Ernest Gee and as to Nos. 138 and 139 of Frederick and Charles Fullard. | Ernest Gee - -                | 25 3 33             |
| Fish Fen -                                   | 44 to 46                 | Pasture in Fish Fen lately in the occupation as to Nos. 44 and 45 of A. V. Askew and as to No. 46 of C. E. Askew.                      | Do. - -                       | 49 2 30             |
| Do. -  | 27 to 43                 | } Hunt's Farm - - - -  | Do. - -                       | 224 2 9             |
| Morris Fen -                                 | 360 to 367               |  |                               |                     |
| Do. -  | 465 to 481               | Priest's Farm - - - -  | Do. - -                       | 251 0 13            |
| Lower Knarr Fen                              | 19 to 28                 | Ten Foot Farm - - - -  | Chas. Edward Askew            | 100 0 10            |
| Do.  | 29 to 41                 | Knarr Corner Farm - - -  | Ernest Gee - -                | 104 2 1             |
| Little Knarr Fen                             | 53 to 57                 | } The Toll Cottage smithy garden and land in Little Knarr Fen.   | Walter Scott - -              | 33 2 26             |
| Middle Knarr Fen                             | 59                       |  |                               |                     |
| North Fen -                                  | 158 to 162               | House and land at North Fen lately in the occupation of Benjamin Bunn.   | James Isley - -               | 8 1 2               |
| Middle Knarr Fen                             | 68 to 81 and pt. 87      | Corner Farm in Middle Knarr Fen -  | Charles Stanborough Elworthy, | 141 3 30            |

| Local Division in which Property is situate. | Nos. on signed Plan B.   | Description of Property.   | Owners or reputed Owners.   | Acreage.   |        |         |
|--|--|--|---|------------|--------|---------|
|  |  |  |   | A.         | R.     | P.      |
| North Fen -                                  | 141  | Land in North Fen lately in the occupation of John Maxwell.  | Walter James Maxwell  | 19         | 3      | 6       |
| Do. -  | 142 to 146   | Pasture in North Fen lately in the occupation of James Maxwell.  | Do.   | 97         | 2      | 29      |
| Do. -  | 60 to 67   | Part of French Farm in North Fen -   | Do.   | 79         | 0      | 35      |
| Upper Knarr Fen Highlands -                  | 2 to 16<br>157 to 161 163<br>pt. 164 165 to<br>176 and 178                       | Hill Farm - - - - -  | James Blunt Maxwell   | 415        | 1      | 32      |
| Great Towers Fen Highlands -                 | 56 to 75<br>100 102 to 110<br>pt. 164 179<br>to 192 194<br>to 197 and<br>pt. 198 | Causeway Middle Farm East - - -<br>Toncham Farm - - - - -  | William Alderman -<br>Robert Coupland -                           | 198<br>417 | 3<br>2 | 21<br>4 |
| North Fen -                                  | 150 and 151  | Land in North Fen known as Fen Drove Pastures late in the occupation of John Hopper.   | John Wells Wait -   | 31         | 3      | 39      |
| Bonnett's Pieces                             | 2 to 16  | St. Vincent's Cross Farm - - - -   | James Sutton - -  | 248        | 1      | 33      |
| Great Towers Fen                             | 80 81 83 to 86<br>and 90 to 97   | Causeway Lodge Farm - - - -  | William Tebbs - -   | 105        | 2      | 23      |
| Highlands -                                  | 89 to 98   | Chessel Hurst Farm and Amps Close -  | Do. - -   | 35         | 3      | 11      |
| Lower Knarr Fen                              | Pt. 45 and 46<br>to 65   | Glass House Farm - - - - -   | Robert Thomas Smith   | 199        | 0      | 33      |
| Upper Knarr Fen                              | 127 to 145<br>and 147  | Stone Bridge Farm - - - - -  | Caroline Keeble Whit-<br>tome (wife of John<br>William Whittome). | 220        | 3      | 23      |
| North Fen -                                  | 46 to 59   | French Farm - - - - -  | Charles Bass - -  | 186        | 3      | 36      |
| Do. -  | 1  | Piece of land on the north side of French Drove or Singlesole Drove with two cottages thereon Nos. 37 and 38 now or lately in the occupation of Hugh Provost or his under-tenants. | Hugh Provost - -  | 0          | 3      | 26      |
| Upper Knarr Fen                              | 36 to 42   | North Farm - - - - -   | Thomas Ravensdale<br>Burgess.                                     | 190        | 0      | 30      |
| Middle Knarr Fen                             | 110 to 115   |  |   |            |        |         |
| Lower Knarr Fen                              | 1 to 18  | West Corner Farm - - - - -   | Do.   | 204        | 0      | 30      |
| North Fen -                                  | 134  | Pasture in North Fen - - - - -   | Richard Edward Dowse  | 10         | 2      | 16      |
| Upper Knarr Fen                              | 30 to 35   | Pigeon's Farm - - - - -  | Harry Hickman -   | 205        | 0      | 14      |
| Middle Knarr Fen                             | 102 to 105 and<br>107 to 109   |  |   |            |        |         |
| Cobler's Fen -                               | Pt. 159 and 160<br>to 165  |  |   |            |        |         |
| North Fen -                                  | 147 to 149   | Land in North Fen now or lately in the occupation of Benjamin Gilbert.   | Richard Edward Dowse  | 36         | 3      | 20      |
| Ruff Fen -                                   | 118  | Land in Ruff Fen now or lately in the occupation of Bates and Bailey.  | Do.   | 14         | 1      | 16      |
| Little Towers Fen                            | 205 to 221<br>and 243  | Singlesole Farm - - - - -  | Henry Herbert Dickens   | 226        | 2      | 24      |
| Upper Knarr Fen                              | 103 to 126   | Second House Farm - - - - -  | Edward Balderson -  | 259        | 2      | 12      |
| Highlands -                                  | 47 111 to 121<br>123 to 140<br>142 and 144<br>to 156                             | Gores Farm - - - - -   | John Edward Morton  | 514        | 1      | 17      |
| North Fen -                                  | 69 to 87   | Portsand Farm - - - - -  | Do.   | 232        | 0      | 38      |
| Earl's Fen -                                 | 1 to 25  | White Hart Farm - - - - -  | Harry Newman -  | 230        | 2      | 34      |
| Cobler's Fen -                               | 105 106 114<br>and 115   |  |   |            |        |         |
| Cobler's Fen -                               | 103 104 134<br>and 135   | Messuage garden and drove in the occupation of J. H. Allen.  | Do. - -   | 5          | 1      | 9       |
| Do. -  | 107 to 113   | Land in Cobler's Fen south of White Hart Farm in the occupation of J. H. Allen.  | Do. - -   | 7          | 0      | 4       |
| Little Towers Fen                            | 260  | Garden adjoining Buke Horn Road on the north and Singlesole Drain on the south-west in the occupation of J. H. Allen.  | Do. - -   | 0          | 0      | 35      |
| Upper Knarr Fen                              | 88 to 102  | Mulberry Tree Farm - - - - -   | Stephen Rowland Fore-<br>man.                                     | 140        | 1      | 37      |

| Local Division in which Property is situate. | Nos. on signed Plan B.          | Description of Property.   | Owners or reputed Owners.                        | Acreage. |    |    |
|--|---------------------------------|--|--|----------|----|----|
|  |                                 |  |  | A.       | R. | P. |
| Ruff Fen - - -                               | 117                             | Land in Ruff Fen south of French Drove in the occupation of S. R. Foreman.   | Stephen Rowland Foreman.                         | 12       | 0  | 5  |
| Little Knarr Fen                             | 4 to 14                         | } East Wryde Farm (part of) - - -  | George Thompson - - -                            | 362      | 1  | 7  |
| Fish Fen - - -                               | 73 to 91                        |  |  |          |    |    |
| Wryde Croft - - -                            | Pt. 160                         |  |  |          |    |    |
| Do. - - -                                    | 155 to 159 and pt. 160          | Do. do. (part of) - - -  | Samuel Murley Egar - - -                         | 25       | 2  | 21 |
| Upper Knarr Fen                              | 64 to 73 and 76 to 87           | Crow Tree Farm - - - - -   | William Hemmant - - -                            | 316      | 3  | 21 |
| Ruff Fen - - -                               | 119 to 123                      | } Grange Farm - - - - -  | } Frederick William Horrell.                     | 266      | 0  | 0  |
| Morris Fen - - -                             | 432 to 448                      |  |  |          |    |    |
| Great Towers Fen                             | Pt. 77 and 87                   |  |  |          |    |    |
| Little Towers Fen                            | 259                             | Small Holding No. 3 - - - - -  | John Morris - - - - -                            | 22       | 1  | 22 |
| Upper Knarr Fen                              | 46 to 58                        | Arable and pasture land in Little Towers Fen in the occupation of John Morris.   | Do.  | 9        | 1  | 4  |
| North Fen - - -                              | 154 to 157                      | South Farm - - - - -   | Richard Henry Bath - - -                         | 141      | 0  | 7  |
| Highlands - - -                              | 81                              | Pasture land in North Fen in the occupation of Samuel Poles.   | Samuel Poles - - - - -                           | 26       | 3  | 0  |
| Great Towers Fen                             | Pt. 108 and 110                 | Land in Great Towers Fen as to part on the north side of Podge Hole Drain and as to part near Thorney Railway Station. | John Glenday Bland - - -                         | 9        | 3  | 31 |
| Upper Knarr Fen                              | 59 61 and 62                    | } Harriman's Farm and land on the west side of Old Knarr Fen Drove.  | Albert Victor Askew - - -                        | 268      | 0  | 14 |
| Lower Knarr Fen                              | 150 to 169                      |  |  |          |    |    |
| Great Towers Fen                             | 83 and 89                       | Causeway Small Holding No. 4 in Great Towers Fen.  | Robert Allen Parker - - -                        | 21       | 3  | 24 |
| Highlands - - -                              | 74                              | Pasture land on the south side of Peterborough Road now or lately in the occupation of William Carr.                   | Do.  | 4        | 3  | 32 |
| Lower Knarr Fen                              | 66 to 80                        | } Dairy Farm - - - - -   | William Banks - - - - -                          | 291      | 3  | 36 |
| Middle Knarr Fen                             | 60 61 and 63 to 67              |  |  |          |    |    |
| Wryde Croft - - -                            | 138 to 152 and pts. 153 and 154 | Wallace Drove Farm - - - - -   | Do.  | 243      | 3  | 5  |
| North Fen - - -                              | 108 to 132 pt. 135 and 136      | East Farm in North Fen - - - - -   | William Horrell - - - - -                        | 303      | 3  | 35 |
| Highlands - - -                              | 83 and 84                       | Pasture land on south side of Thorney Causeway opposite Causeway Middle Farm East.                                     | Robert Thomas Smith                              | 3        | 3  | 36 |
| Do. - - -                                    | 88                              | Pasture land on south side of Thorney Causeway now or lately in the occupation of Mrs. Russell.                        | Do.  | 2        | 3  | 19 |
| Cobler's Fen - - -                           | 122 and 123                     | Pasture land and garden in Cobler's Fen on the south side of the Midland and Great Northern Joint Railway.             | Do.  | 3        | 0  | 39 |
| Little Towers Fen                            | 240 242 and 244 to 254          | Buke Horn Farm - - - - -   | Edward William Smith                             | 121      | 0  | 5  |
| Cobler's Fen - - -                           | 118 and 119                     | Two pieces of pasture and arable land in Cobler's Fen now or lately in the occupation of R. T. Smith and E. W. Smith.  | Do.  | 17       | 2  | 3  |
| Little Towers Fen                            | 241                             | Land on the north side of Buke Horn Drove in Little Towers Fen now or lately in the occupation of Henry Tompkins.      | Do.  | 17       | 0  | 16 |
| Great Towers Fen                             | 25 to 36                        | Causeway Toll Farm - - - - -   | Charles William Brown.                           | 119      | 3  | 29 |
| Highlands - - -                              | 75 and 77 to 80 and 101         | Pasture and arable land in Podge Hole Highlands now or lately in the occupation of Charles William Brown.              | Frederick William Miller.                        | 55       | 0  | 26 |
| Great Towers Fen                             | 2 and 4 to 24                   | } Catwater Farm and land in North Fen now or lately in the occupation of Benjamin Brown.                               | William James Thompson.                          | 273      | 2  | 38 |
| North Fen - - -                              | 137                             |  |  |          |    |    |
| Great Towers Fen                             | 111 to 114 and 116 to 118       | White Hart Bridge Farm - - - - -   | Rowland Buckworth and Leonard Foreman Buckworth. | 58       | 1  | 27 |

| Local Division in which Property is situate. | Nos. on signed Plan B.                | Description of Property.  | Owners or reputed Owners.                        | Acreage.                             |          |
|--|---------------------------------------|---|--|--------------------------------------|----------|
| Great Towers Fen                             | 119 to 125                            | Land on the west side of Mill Drove adjoining the last-mentioned farm now or lately in the occupation of J. H. Allen.                                       | Rowland Buckworth and Leonard Foreman Buckworth. | A. R. P.<br>8 1 24                   |          |
| Highlands -                                  | 86 and 87                             | Pasture land in the Highlands on the south side of Thorney Causeway in the occupation of Messrs. R. Buckworth and L. F. Buckworth.                          | Do.  | 6 1 35                               |          |
| Cobler's Fen -                               | 120                                   | Pasture land on the north side of the Midland and Great Northern Joint Railway in Cobler's Fen now or lately in the occupation of Frederick Arthur Charity. | Do.  | 3 2 4                                |          |
| Ruff Fen -                                   | 113                                   | } Middle Farm - - - - -   | } Graham Windyer<br>Clapham.                     | 201 0 19                             |          |
| Morris Fen -                                 | 403 to 418                            |   |  | } East or Green Drove Farm - - - - - | } Do.    |
| Do.  | 421 to 424 and 426 to 431             |   | Little House Farm - - - - -                      |                                      |          |
| Do.  | 348 and 350 to 357                    |   | Middle Off Farm - - - - -                        | Thomas Henry Vergette.               | 153 3 12 |
| Do.  | 393 to 402                            |   | Herbert Edward Hurn                              | 113 2 21                             |          |
| Ruff Fen -                                   | 102 to 112                            | Blue Bell Farm - - - - -  | Ernest William Hurn                              | 103 3 39                             |          |
| Cobler's Fen -                               | 140 to 150 152 to 158 and pt. 159     | Duke's Head Farm - - - - -  |  |                                      |          |
| Do.  | 136 to 139 -                          | Arable and pasture land in Cobler's Fen adjoining the last-mentioned Farm on the west side thereof now or lately in the occupation of C. E. Askew.          | Do.  | 40 0 20                              |          |
| Highlands -                                  | 52 53 and 55 to 70 and pt. 71         | Pode Hole Farm - - - - -  | George Lever Morris -                            | 206 2 36                             |          |
| North Fen -                                  | 21 to 34                              | Falls Farm - - - - -  | Do.  | 200 2 29                             |          |
| Highlands -                                  | 1 pt. 2 and 5 to 15                   | Pasture House Farm - - - - -  | Walter Rowell Odam -                             | 147 0 8                              |          |
| North Fen -                                  | 35 to 45                              | Third House Farm - - - - -  | William James Thompson.                          | 102 0 4                              |          |
| Morris Fen -                                 | 301 to 319                            | Single Cote Farm - - - - -  | Frederick William Griffin.                       | 192 1 4                              |          |
| Ruff Fen -                                   | 114 to 116                            | Pasture land in Ruff Fen now or lately in the occupation of William Perkins.  | Do.  | 54 1 36                              |          |
| Highlands -                                  | 210 to 228 230 231 232 and 234 to 239 | } Park Farm (including the plantations) on the northern side of the said property numbered 235 and on the western side of the said property numbered 231).  | The representatives of Joseph Topham deceased.   | 567 3 9                              |          |
| Upper Knarr Fen                              | 17 to 27 and 29                       |   |  |                                      |          |
| Little Towers Fen                            | 222 to 239                            | Buke Horn Toll Farm - - - - -   | John Joseph Harrison                             | 183 2 1                              |          |
| Great Towers Fen                             | 37 to 46 and 48 to 54                 | Middle Farm West - - - - -  | Do.  | 239 0 36                             |          |
| Highlands -                                  | 209                                   | Pasture land in the Highlands on the west side of Whittlesey Road in the occupation of J. J. Harrison.  | Do.  | 16 2 26                              |          |
| North Fen -                                  | 133                                   | Pasture land situate in North Fen in the same occupation.   | Do.  | 19 1 13                              |          |
| Highlands -                                  | 200 201 203 to 208 and pt. 198        | Park lands plantations and pasture lands known as the Abbey House lands now or lately in the occupation of John Maxwell and Richard Kitchen.                | John Edward Morton                               | 64 2 21                              |          |
| Cobler's Fen -                               | 125 and 127 to 133                    | Butcher's Farm - - - - -  | Mary Elizabeth Peach                             | 43 0 37                              |          |
| Morris Fen -                                 | 339                                   | Land in Morris Fen on the north side of Singlesole Road now or lately in the occupation of Alfred Alcock.   | Alfred Alcock - - -                              | 6 1 11                               |          |
| Do.  | 341 and pt. 342                       | Land in Morris Fen on the north side of Singlesole Road now or lately in the occupation of Robert Franklin.   | Do. - - -  | 7 1 30                               |          |

| Local Division in which Property is situate. | Nos. on signed Plan B.                | Description of Property.   | Owners or reputed Owners. | Acreage. |    |    |
|--|---------------------------------------|--|---------------------------|----------|----|----|
|  |                                       |  |                           | A.       | R. | P. |
| Little Towers Fen                            | 255                                   | Arable land on the north side of Buke Horn Road in Little Towers Fen now or lately in the occupation of J. H. Allen.   | Alfred Alcock - -         | 17       | 2  | 21 |
| Highlands - -                                | Pt. 71 and 72                         | Pasture land on the south side of Thorney Causeway now or lately in the occupation of T. Halford.  | Do.                       | 2        | 2  | 23 |
| Do. - -                                      | 73                                    | Pasture land on the south side of Thorney Causeway now or lately in the occupation of R. Kitchen.  | Do.                       | 2        | 1  | 29 |
| Great Towers Fen                             | 78 and 79                             | Causeway Small Holding No. 1 now or lately in the occupation of Henry Tompkins.  | Do.                       | 20       | 2  | 34 |
| Little Towers Fen                            | 257 and 258                           | Allotments in Little Towers Fen on the north side of Buke Horn Drove.  | Do.                       | 24       | 2  | 20 |
| Cobler's Fen -                               | 124                                   | Pasture in Cobler's Fen on the south side of the Midland and Great Northern Joint Railway with roadway leading therefrom towards Wisbech Road.   | Do.                       | 3        | 2  | 27 |
| Morris Fen -                                 | Pt. 342 and 343                       | Pasture land bounded on the south-west by Singlesole Drove and on the south-east by English Drove.   | Do.                       | 3        | 2  | 33 |
| Do. - -                                      | 320 to 333                            | Part of Lodge Farm now or lately in the occupation of John Maxwell's executors.  | Richard Edward Dowse      | 151      | 2  | 3  |
| Little Towers Fen                            | Pt. 256                               | Land on the south-west side of and adjoining Singlesole Drain in Little Towers Fen now or lately in the occupation of Thomas Farrow.   | Thomas Farrow -           | 6        | 1  | 22 |
| Morris Fen -                                 | 349                                   | Land on the north-west side of and adjoining English Drove in Morris Fen now or lately in the occupation of Thomas Farrow.   | Do.                       | 5        | 0  | 23 |
| Cobler's Fen -                               | 86 and 87                             | Allotments on the east side of Mill Drove and on the north side of the Midland and Great Northern Joint Railway and plantation adjoining.  | Richard Kitchen -         | 5        | 0  | 6  |
| Great Towers Fen                             | Pt. 77 and 82                         | Causeway Small Holding No. 2 now or lately in the occupation of Samuel Gilbert and Frederick Alfred Charity.   | Francis Charles Thorpe    | 24       | 3  | 35 |
| Little Towers Fen                            | Pt. 256                               | Arable land in Little Towers Fen on the south-west side of and adjoining Singlesole Drain now or lately in the occupation of Robert Franklin.  | Do.                       | 6        | 2  | 0  |
| Morris Fen -                                 | 344 to 347                            | Small holding in Morris Fen now or lately in the occupation of William James Tompkins.   | William James Tompkins.   | 27       | 0  | 32 |
| Do. - -                                      | 340                                   | Arable land adjoining Morris Fen now or lately in the occupation of Robert Franklin.   | Do.                       | 7        | 2  | 0  |
| Great Towers Fen                             | 98 to 101 and 106 107 pt. 108 and 109 | Windmill and roadway thereto garden buildings paddock fields and two small plantations in Great Towers Fen bounded on the north by the Midland and Great Northern Joint Railway and on the south by the Peterborough Road. | Marshall Chapman Hanson.  | 15       | 1  | 32 |
| Highlands - -                                | Pt. 3 17 and 19 to 34                 | Willow Hall Farm - - - -   | Richard Dring - -         | 434      | 1  | 1  |
| Fish Fen - -                                 | 49 to 65 and 68 to 72                 | English Drove Farm - - - -   | George Thompson -         | 496      | 3  | 21 |
| Highlands - -                                | 82                                    | Land on the south side of Thorney Causeway now or lately in the occupation of Hugh Cave.   | William Cave - -          | 3        | 2  | 12 |
| North Fen -                                  | 140                                   | Land in North Fen now or lately in the occupation of G. L. Morris.   | Thomas Gee - -            | 24       | 0  | 32 |
| Cobler's Fen -                               | 126                                   | Pasture in Cobler's Fen - - - -  | William Amps - -          | 2        | 0  | 19 |



| Local Division in which Property is situate. | Nos. on signed Plan B.                        | Description of Property.   | Owners or reputed Owners.  | Acreage. |    |    |
|--|---|--|--|----------|----|----|
|  |   |  |  | A.       | R. | P. |
| Highlands - -                                | Pt. 2 pt. 3 16<br>18 36 to 46<br>and 48 to 51 | Bar Pasture Farm - - - -   | Mrs. Lucy Cambers Hurry.   | 274      | 3  | 13 |
| Great Towers Fen                             | 103 104 and 105                               | Land in Great Towers Fen with stables thereon situate to the north of Peterborough Road.                   | Rev. William Symons -  | 4        | 2  | 35 |
| Do. -  | 102   | Pasture in Great Towers Fen on the north side of Thorney Causeway. .                                       | John Frederick Alderman.   | 1        | 3  | 28 |
| Highlands -                                  | 229   | Pasture land in the Highlands on the east side of Whittlesey Road.   | Miss Mary Hurry Gee  | 3        | 0  | 3  |
| Fish Fen - -                                 | 47  | Pasture land in Fish Fen in the occupation of Lucy Cambers Hurry.  | Mrs. Lucy Cambers Hurry.   | 23       | 3  | 25 |
| Lower Knarr Fen                              | Pt. 45  | Knarr Fen School playground teacher's cottage and garden.  | Sir Walter Roper Lawrence Bart. G.C.I.E. and the Hon. Victor Alexander Frederick Villiers Russell. | 0        | 1  | 36 |
| Do. -  | Pt. 45  | Shrubbery on the west side of Knarr Fen School playground teacher's cottage and garden.                    | Do.  | 0        | 0  | 11 |
| Do. -  | Pt. 45  | Stable and land near to and on the north side of Knarr Fen School playground teacher's cottage and garden. | Do.  | 0        | 0  | 25 |
| Do. -  | Pt. 45  | No. 10 Lower Knarr Fen - - - -   | Ernest Gee - - -   | 0        | 2  | 19 |
| Wryde Croft -                                | 70 and 71                                     | Wryde Croft School and teacher's cottage playground and garden.  | Sir Walter Roper Lawrence Bart. G.C.I.E. and the Hon. Victor Alexander Frederick Villiers Russell. | 0        | 2  | 30 |
| Do. - -                                      | 69  | Cottage No. 7 Wryde Croft - - -  | The rural district council of Thorney.   | 0        | 2  | 4  |
| Morris Fen -                                 | 368 to 391                                    | Lodge Farm (part of) situate in Morris Fen now or lately in the occupation of John Maxwell's executors.    | Isle of Ely County Council.  | 248      | 3  | 21 |
| Do. - -                                      | 334 to 338                                    | Lodge Farm (part of) situate in Morris Fen now or lately in the occupation of John Maxwell's executors.    | Do.  | 51       | 0  | 5  |
| Total - A.                                   |   |  |  | 17,173   | 1  | 31 |

## THE SECOND SCHEDULE.

(Referred to in Section 8.)

### RULES AS TO ELECTION OF ELECTED MEMBERS OF THE BOARD.

1. The chairman of the Board of the previous year or some person appointed by him shall be the returning officer.

2. If at any time from any default of such chairman as aforesaid or from any reason there is no returning officer or such returning officer is unwilling or unable to act the Board of Agriculture and Fisheries may on the application of the Board appoint a returning officer.

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3. The elections of new elected members subsequent to the first election shall take place on the last Monday in the month of May in the year nineteen hundred and fifteen and on the same day in each succeeding third year or on such other day in the month of May or June in such year as may be prescribed by the Board.

4. On every occasion of the election of new elected members of the Board the returning officer shall convene a meeting of the electors for the purpose of such election and shall give notice of such meeting and of the time and place at which it is to be held by advertisement in some one or more of the newspapers circulating in the drainage district and by causing a copy of such notice to be affixed to the outer door of the principal office of the Board and of the places of public worship in the parish of Thorney and (in case the Board shall cease to be the owners of the lands in the parish of Whittlesey by this Act vested in them or of any of such lands) to the outer door of the places of public worship in the parish of Whittlesey.

5. The returning officer shall preside and regulate the proceedings at such meeting.

6. At such meeting as aforesaid any person or persons qualified pursuant to this Act for election may if he or they consent thereto be nominated by any elector and seconded by any other elector as an elected member or elected members of the Board.

7. If more candidates are proposed than the number to be elected a poll may be demanded and shall be taken in manner hereinafter mentioned but if not or if no poll is demanded a declaration by the returning officer that the candidates are elected members of the Board shall be evidence of the fact.

8. When a poll is demanded the returning officer shall direct the same to be taken at such place or places within the parish of Thorney on such day not exceeding three clear days from the day appointed for the election as he may determine.

9. In case of an equality of votes between any two or more candidates the returning officer shall decide by lot the candidate or candidates to be elected.

10. The poll shall be opened at nine o'clock of the forenoon of the appointed day and shall close at four o'clock in the afternoon of the same day except in the case of disturbance when the closing of the same may be fixed to take place at such time as the returning officer directs.

11. The returning officer shall cause to be entered in the polling books the name and address of every voter, and the manner in which he votes.

12. At the close of the poll the returning officer shall sum up the votes and as soon as possible publish the names of the candidates elected as herein mentioned— A.D. 1911.

- (a) By advertisement in some one or more newspaper or newspapers circulating in the drainage district;
- (b) By affixing a list of such candidates to the outer door of the principal office of the Board and of the places of public worship in the parish of Thorney and (in the case referred to in the foregoing Rule 4) in the parish of Whittlesey.

13. Whenever any day appointed for any purpose happens to be a Sunday the business so appointed to be done shall take place on the Monday following.

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### THE THIRD SCHEDULE.

(Referred to in Preamble and Sections 5 23 and 30.)

First The messuage hereditaments and premises in the parish of Thorney formerly occupied and known as the Bedford Estate Office and delineated on the signed Plan A and thereon distinguished by the number 85.

Secondly The piece of land situate on the east side of the Whittlesey Road in the parish of Thorney aforesaid containing 1 rood 28 poles or thereabouts and known as the Green and delineated on the signed Plan A and thereon distinguished by the number 147.

Thirdly The fields or enclosures delineated on the signed Plan B and thereon respectively distinguished by the numbers 116 117 and 121 in Cobler's Fen and respectively containing areas of 5 acres 3 roods 24 poles 10 acres 0 roods 37 poles and 3 acres 2 roods 39 poles or thereabouts subject to such rights of way (if any) as now subsist over such fields or enclosures or any of them.

Fourthly The right and liberty which was at or immediately before the twenty-ninth day of July one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them or was immediately before the commencement of this Act vested in or exerciseable by the private commissioners to discharge sewage on to the lands and premises delineated on the signed Plan B and thereon distinguished by the number 118 in Cobler's Fen and to enter on the said lands and premises for the purpose of laying down and maintaining or removing from time to time new pipes for sewage purposes and of maintaining or removing the existing pipes.

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Fifthly So much of the river or cut in the parish of Whittlesey known as Thorney River and formerly known as the Delph or Slype River as leads from the River Nene through a sluice situate on the north bank of Moreton's Leam and known as the Dog-in-a-Doublet Sluice to a bridge known as the Stone otherwise Red Lyon Bridge together with the bed embankments and forelands thereof and strips of land in the said parish of Whittlesey along the west bank of the said portion of river containing 16 acres 1 rood 26 poles or thereabouts (which strips of land are delineated on the signed Plan B and thereon distinguished by the numbers 34 35 36 37 38 and 39 in Prior's Fen) and a strip of land in the same parish situate on the south side of the River Nene and containing 2 roods 8 poles or thereabouts (which strip of land is delineated on the signed Plan B and thereon distinguished by the number 1 in the Wash) Together with the said sluice and bridge and all other sluices in and bridges over the said portion of river and all buildings constructions dams tunnels and fixtures in or under the same except any highways or bridges vested in any public local authority.

Sixthly So much of the said Thorney River as is not comprised in the premises hereinbefore fifthly described and all such dykes droves and drains on or bounding the ancient Thorney Estate (which estate is co-extensive with the Third District but includes in addition thereto the premises fifthly hereinbefore described) as were immediately before the commencement of this Act in any way vested in the private commissioners under or by virtue of the purchase deeds and the water deed or some or one of them or otherwise together with the beds embankments forelands sluices bridges buildings constructions dams tunnels and fixtures in on over or under the said river and premises except (a) all highways or bridges (if any) vested in any public local authority (b) all beds embankments or premises which immediately before the commencement of this Act were lawfully vested in any authority or person other than the Duke or the trustees or the private commissioners.

Seventhly All banks and forelands which were on or immediately before the first day of January one thousand nine hundred and ten vested in the will trustees and the Duke or either of them or were immediately before the commencement of this Act vested in the private commissioners of such of the drains in and on the ancient Thorney Estate as were immediately before the commencement of this Act vested in or controlled by the North Level Commissioners subject to the powers and authorities vested in those commissioners by virtue of the Act 11 Geo. IV. cap. liii. or any other Act or otherwise and with the benefit of and subject to the right or easement reserved by section 180 of the said first-mentioned Act to the owner or owners of the soil or herbage of any of the said banks or forelands and their respective tenants of feeding or depasturing sheep only in or upon any of the

said banks or forelands the soil or herbage whereof shall be the property of such person or persons respectively and of permitting sheep to water or drink in or out of the said drains adjoining such last-mentioned banks and forelands respectively Together with the right conferred by the Act 27 Geo. II. cap. 19 and other Acts of Parliament on the predecessors in title of the Duke their heirs and assigns (and which was at or immediately before the first day of January one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them and was immediately before the commencement of this Act vested in or exerciseable by the private commissioners) from time to time to cleanse widen deepen make cut build erect support and maintain or cause to be cleansed widened deepened made cut built erected supported and maintained all such banks cuts drains dams outlets sluices mills engines and other matters works and things within upon and through the ancient Thorney Estate for the draining and defending the same and the lands lying therein and for conveying the waters thereof to or towards outlets provided by the said Acts of Parliament or any other Act of Parliament amending the same as they should think necessary or proper but subject to the prohibition imposed by section 69 of the said Act 11 Geo. IV. cap. liii. upon the owner or owners of the lordship of Thorney and of the lands comprised within the Third District of the North Level from erecting or placing any sluice dam or other work in upon or across the New South Eau whereby the passage of any of the waters to and from the First and Fifth Districts of the said North Level or either of them for the purposes of drainage according to the provisions and true intent and meaning of the said Act should or could be obstructed impeded interrupted or prejudicially affected in any manner howsoever And together with the right conferred by the Act 13 George III. cap. 40 upon the devisees in trust under the will of John Duke of Bedford and the survivors and survivor of them and the executors and administrators of such survivor during the minority of the Duke of Bedford for the time being and after his attaining the age of twenty-one years upon the Duke of Bedford his heirs and assigns (but which right was at or immediately before the first day of January one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them and was immediately before the commencement of this Act vested in or exerciseable by the private commissioners) to make two pen sluices in the said Delph or Slype River one next the Counter Drain in the Second District of the said North Level and the other next Thorney Dyke in the said district and to remove the dams in the said river against the said Counter Drain and Thorney Dyke and to lay a tunnel under the said Delph or Slype River where the mill drain then crossed the same seven feet below the level of the lands adjoining thereto and ten feet wide and also to scour out and deepen

A.D. 1911: the said Delph or Slype River in the said Second District from the said Counter Drain to Thorney Dyke four feet below the level of the lowest land adjoining the same but subject to the obligation by the said Act imposed upon the said devisees in trust and upon the Duke of Bedford for the time being (and which at or immediately before the first day of January one thousand nine hundred and ten and immediately before the commencement of this Act was imposed upon such respective persons as aforesaid) to place and keep pointing doors or flood-gates in the said Thorney Dyke and to work a mill or engine near the lower end of the said Thorney Dyke to drain the water out of the same And together with the right originally conferred upon such persons as aforesaid by the last-mentioned Act (and which was at or immediately before the twenty-ninth day of July one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them or was immediately before the commencement of this Act vested in or exerciseable by the private commissioners) to have the use and disposal of the navigation of the said Delph or Slype River from the River Nene through the Dog-in-a-Doublet Sluice along the said Delph or Slype River to Thorney and the rights powers and authorities in and over certain sluices and the said Delph or Slype River and the sides thereof and the navigation in through and along the same which were by virtue of the same Act at such respective dates or either of them vested in or exerciseable by such respective persons as aforesaid and the right which was at or immediately before the twenty-ninth day of July one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them or was immediately before the commencement of this Act vested in or exerciseable by the private commissioners to the supply of water from the River Nene for the purposes of navigation and irrigation at and through the said Dog-in-a-Doublet Sluice and the drainage of lands lying within the ancient Thorney Estate now draining by Thorney River and the said sluice respectively and all such other rights powers and authorities at such respective dates or either of them so vested or exerciseable as aforesaid in and over the said sluice Thorney River and the sides thereof and the navigation in through and along the same as have at any time heretofore been lawfully had used exercised and enjoyed by the private commissioners or by the will trustees or by the Duke or by their or his predecessors in title And together with the easements or rights reserved to or conferred on the Duke or the will trustees their and his heirs and assigns by various indentures of conveyance of lands situated on the south side of Thorney Dyke formerly forming parts of or adjuncts to the Thorney Estate which indentures are dated respectively on or after the first day of January one thousand nine hundred and ten and before the twenty-ninth day of July one thousand nine hundred and ten and which

easements or rights are now under or by virtue of the same indentures and of the purchase deeds and of the water deed or some or one of them or otherwise vested in or exerciseable by the private commissioners to enter upon the said lands for the purpose of cleansing and controlling Thorney Dyke and to deposit refuse and matter from the said dyke on to the said lands for the purposes aforesaid upon payment of compensation therefor And together with the right conferred by sections 69 and 70 of the Act 11 George IV. cap. liii. upon the owner or owners of the lordship of Thorney and of the lands comprised in the Third District of the North Level (and which was at or immediately before the twenty-ninth day of July one thousand nine hundred and ten vested in the will trustees the Duke and the purchasers or in some or one of them and was immediately before the commencement of this Act vested in or exerciseable by the private commissioners) to remove and take away certain dams in the Gold Dyke and in the Old Wryde Drain adjoining thereto after the completion of certain works mentioned in the said Act and long since completed and in lieu thereof to make put down and maintain a new dam or new dams with suitable sluices and other works in or by the side of or leading into any other part or parts of the said Gold Dyke between the New South Eau and the said Old Wryde Drain for the purpose of preventing the junction of the waters passing through the New South Eau and New Wryde and from time to time to alter the situation of the said dam or dams or any of them as mentioned in the said sections And together with the easements and rights expressed to be reserved to or conferred on the Duke or the will trustees by the purchase deeds and which were immediately before the commencement of this Act vested in or exerciseable by the private commissioners to receive and discharge water from and into the dykes drains and lands belonging to the owners of certain lands forming part of the said ancient Thorney Estate but subject to the like easements and rights conferred upon and vested in such owners as against the dykes drains and lands by this Act vested in the Board and subject to the easements and rights conferred upon such owners and upon the owners of lands south of Thorney Dyke lately forming parts of or adjuncts to the said Thorney Estate in case their lands should adjoin one side of the said river dykes or drains by this Act vested in the Board to use and maintain existing bridges thereover and to erect and maintain such new bridges thereover as might be necessary for obtaining access to main roads adjoining the other side thereof.

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THE FOURTH SCHEDULE.

(Referred to in Section 59.)

FIRST PART.

FORM OF ASSESSMENT TO GENERAL DRAINAGE TAX.

The Thorney Drainage Board acting under the Thorney Drainage Act 1911 do hereby assess tax and charge the lands mentioned in the annexed book and in such book distinguished by the numbers by which the same lands are distinguished on the 25-inch Ordnance map of the parish of Thorney and being within the drainage district defined as in the said Act mentioned and the respective owners and occupiers of the said lands whose names are mentioned in the several pages of the said book with the sum of \_\_\_\_\_ for every acre of the said lands set down in the several pages of the said book against the names of such owners and occupiers and so in proportion for any greater or less quantity than an acre and the Board orders and directs that the tax hereby imposed shall be deemed a general drainage tax and shall be paid to Mr. \_\_\_\_\_ the collector appointed by the Board to receive the same at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ next between the hours of twelve noon and three in the afternoon of that day.

FORM OF TAXATION.

| Occupier. | Owner. | Parish. | No. on Map. | Description. | Quantity. | Amount of Tax. |
|-----------|--------|---------|-------------|--------------|-----------|----------------|
|           |        | Thorney |             |              |           |                |

SECOND PART.

FORM OF ASSESSMENT TO ADDITIONAL TAX.

The Thorney Drainage Board acting under the Thorney Drainage Act 1911 do hereby assess tax and charge the lands buildings and premises mentioned in the annexed book and in such book distinguished by the numbers by which the same premises are distinguished on the 25-inch Ordnance map of the parish of Thorney and being within that part of the drainage district defined as in the said Act mentioned which consists of the urban area and the respective owners and occupiers of the said lands buildings and premises whose names are mentioned



in the several pages of the said book with the sum of \_\_\_\_\_ for each A.D. 1911.  
 one pound of the rateable value of such lands buildings and premises  
 set down in the several pages of the said book against such lands  
 buildings and premises and the Board orders and directs that the tax  
 hereby imposed shall be deemed an additional tax and shall be paid  
 to Mr. \_\_\_\_\_ the collector appointed by the Board to receive  
 the same at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ next between  
 the hours of twelve noon and three in the afternoon of that day.

FORM OF TAXATION.

| Occupier. | Owner. | Parish. | No. on Map. | Description. | Rateable Value. | Amount of Tax. |
|-----------|--------|---------|-------------|--------------|-----------------|----------------|
|           |        | Thorney |             |              |                 |                |

THE FIFTH SCHEDULE.

(Referred to in Preamble and Section 5.)

PARTICULARS OF THE PURCHASE DEEDS IN ALL OF WHICH THE  
 PARTY OF THE FIRST PART IS THE DUKE THE PARTIES OF  
 THE SECOND PART ARE SIR WALTER ROPER LAWRENCE BART.  
 G.C.I.E. AND THE HON. VICTOR ALEXANDER FREDERICK  
 VILLIERS RUSSELL THE TRUSTEES OF THE WILL OF FRANCIS  
 SEVENTH DUKE OF BEDFORD K.G. AND THE PARTY OF THE  
 THIRD PART IS ROWLAND EDMUND PROTHERO.

FIRST PART.

PURCHASE DEEDS EXECUTED BEFORE THE WATER DEED.

| Dates.        | Parties of the Fourth Part. | Parties of the Fifth Part. | Property conveyed.                     |
|---------------|-----------------------------|----------------------------|--|
| 1910 April 22 | Thomas Gee                  | - - - -                    | Malice Off Farm.                       |
| 1910 April 22 | Do.                         | - - - -                    | Wryde Croft Parsonage.                 |
| 1910 April 22 | Do.                         | - - - -                    | Wryde Lands Farm.                      |
| 1910 April 22 | Do.                         | - - - -                    | Archer's Drove Farm.                   |
| 1910 April 22 | Do.                         | - - - -                    | Poplar's Farm and pasture in Fish Fen. |
| 1910 April 22 | Arthur Gee                  | - - - -                    | Knarr Cross Farm and Middle Farm.      |
| 1910 April 22 | William Gee                 | - - - -                    | Old Wryde Farm and Pigeon's Off Farm.  |

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| Dates.        | Parties of the Fourth Part.   | Parties of the Fifth Part.              | Property conveyed.  |
|---------------|-------------------------------|---|---|
| 1910 April 22 | Tom Berry -                   | - - -                                   | Old Hall Farm.  |
| 1910 April 22 | Edmund Whittome -             | - - -                                   | Knarr Farm.   |
| 1910 April 27 | Walter Bettinson -            | - - -                                   | Gold Dike Farm.   |
| 1910 April 6  | John Osman<br>Whittome.       | Franklyn Phil-<br>lips.                 | New Cut Farm.   |
| 1910 April 12 | Charles Ireland -             | - - -                                   | Malice Farm.  |
| 1910 April 22 | John Osman<br>Whittome.       | Charles Ed-<br>ward Askew.              | Ten Foot Farm.  |
| 1910 April 22 | Ernest Gee -                  | - - -                                   | Knarr Corner Farm and 10<br>Lower Knarr Fen.                        |
| 1910 April 22 | Do.                           | - - -                                   | Hunt's Farm Priest's Farm<br>and pasture in North and<br>Fish Fens. |
| 1910 April 22 | Walter Scott -                | - - -                                   | Toll cottage smithy &c.   |
| 1910 April 22 | James Isley -                 | - - -                                   | House and land North Fen.   |
| 1910 April 22 | Harry Balderson               | Charles Stau-<br>borough El-<br>worthy. | Corner Farm.  |
| 1910 April 22 | Walter James<br>Maxwell.      | - - -                                   | Lands in North Fen.   |
| 1910 April 22 | James Blunt<br>Maxwell.       | - - -                                   | Hill Farm.  |
| 1910 April 5  | William Alderman              | - - -                                   | Causeway Middle Farm East.  |
| 1910 April 22 | John Hopper -                 | Robert Coup-<br>land.                   | Toneham Farm.   |
| 1910 April 22 | Do.                           | John Wells<br>Wait.                     | Fen Drove pastures North<br>Fen.                                    |
| 1910 June 30  | James Sutton -                | - - -                                   | St. Vincent's Cross Farm.   |
| 1910 April 25 | Charles Edward<br>Askew.      | William Tebbs                           | Causeway Lodge Farm Ches-<br>sel Hurst Farm and Amps<br>Close.      |
| 1910 April 22 | Robert Thomas<br>Smith.       | - - -                                   | Glass House Farm.   |
| 1910 April 22 | Caroline Keeble<br>Whittome.  | - - -                                   | Stone Bridge Farm.  |
| 1910 April 22 | Richard Edward<br>Dowse.      | Thomas Ravens-<br>dale Burges.          | North and West Corner Farms.  |
| 1910 April 22 | Do.                           | Harry Hick-<br>man.                     | Pigeon's Farm.  |
| 1910 April 22 | Henry Herbert<br>Dickens.     | - - -                                   | Singlesole Farm.  |
| 1910 April 22 | Edward Balderson              | - - -                                   | Second House Farm.  |
| 1910 April 22 | John Edward<br>Morton.        | - - -                                   | Gores Farm.   |
| 1910 April 22 | Do.                           | - - -                                   | Portsand Farm.  |
| 1910 April 22 | Harry Newman -                | - - -                                   | White Hart Farm.  |
| 1910 April 22 | Do.                           | - - -                                   | Lands in Cobler's Fen.  |
| 1910 April 22 | Stephen Rowland<br>Foreman.   | - - -                                   | Mulberry Tree Farm and land<br>in Ruff Fen.                         |
| 1910 April 22 | William Hemmant               | - - -                                   | Crow Tree Farm.   |
| 1910 April 22 | Frederick William<br>Horrell. | - - -                                   | Grange Farm.  |
| 1910 April 1  | John Morris -                 | - - -                                   | Small Holding No. 3.  |
| 1910 April 22 | Samuel Poles -                | Richard Henry<br>Bath.                  | South Farm.   |
| 1910 April 22 | Do.                           | - - -                                   | Pasture land in North Fen.  |

[1 & 2 GEO. 5.] *Thorney Drainage Act, 1911.* [Ch. clxxxvii.]

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| Dates.        | Parties of the Fourth Part.             | Parties of the Fifth Part           | Property conveyed.  |
|---------------|---|-------------------------------------|---|
| 1910 April 1  | John Glenday Bland.                     | - - -                               | Land on north side of Pode Hole Drain and land near Thorney Railway Station and town holdings in Whittlesey Road and on the north side of the Peterborough Road.          |
| 1910 April 22 | Albert Victor Askew.                    | - - -                               | Harriman's Farm.  |
| 1910 April 22 | Robert Allen Parker.                    | - - -                               | Causeway Small Holding No. 4.   |
| 1910 April 22 | William Banks -                         | - - -                               | Dairy Farm and Wallace Drove Farm.  |
| 1910 April 22 | William Horrell -                       | - - -                               | East Farm North Fen.  |
| 1910 April 22 | Robert Thomas Smith.                    | - - -                               | Lands on south side of Thorney Causeway and in Cobler's Fen and town holdings and garden land in Whittlesey Road Wisbech Road and Mill Drove.                             |
| 1910 April 22 | Edward William Smith.                   | - - -                               | Buke Horn Farm and lands in Cobler's Fen and on the north side of Buke Horn Drove and town holdings in or near Wisbech Road Whittlesey Road Church Street and Mill Drove. |
| 1910 April 22 | William James Thompson.                 | - - -                               | Catwater Farm.  |
| 1910 April 22 | Rowland and Leonard Foreman. Buckworth. | - - -                               | White Hart Bridge Farm &c.  |
| 1910 April 25 | Do.                                     | - - -                               | Land in Cobler's Fen and town holdings known as Nos. 78 to 82 Wisbech Road North.   |
| 1910 April 1  | Graham Windyer Clapham.                 | - - -                               | Middle Farm Morris Fen.   |
| 1910 April 1  | Do.                                     | - - -                               | East or Green Drove Farm.   |
| 1910 April 22 | Robert Forth -                          | - - -                               | Little House Farm.  |
| 1910 April 25 | Thomas Edward Fullard.                  | Thomas Henry Vergette.              | Middle Off Farm.  |
| 1910 April 22 | Herbert Edward Hurn.                    | - - -                               | Blue Bell Farm.   |
| 1910 April 22 | Ernest William Hurn.                    | - - -                               | Duke's Head Farm.   |
| 1910 April 22 | Do.                                     | - - -                               | Land in Cobler's Fen.   |
| 1910 April 23 | George Lever Morris.                    | - - -                               | Pode Hole and Falls Farms.  |
| 1910 April 22 | Walter Rowell Odam.                     | - - -                               | Pasture House Farm.   |
| 1910 April 22 | William Perkins -                       | Frederick William Griffin.          | Single Cote Farm and land in Ruff Fen.  |
| 1910 April 22 | Do.                                     | William James Thompson the younger. | Third House Farm.   |

[Ch. clxxxvii.] *Thorney Drainage Act, 1911.* [1 & 2 GEO. 5 ]

A.D 1911.

| Dates.        | Parties of the Fourth Part. | Parties of the Fifth Part. | Property conveyed.  |
|---------------|-----------------------------|----------------------------|---|
| 1910 April 22 | Joseph Topham -             | - - -                      | Park Farm &c.   |
| 1910 April 22 | John Joseph Harrison.       | - - -                      | Buke Horn Toll Farm and Causeway Middle West Farm and pasture in the Highlands and in North Fen. The Abbey House and lands.   |
| 1910 April 22 | John Edward Morton.         | - - -                      | Butcher's Farm and No. 14 Wisbech Road South.   |
| 1910 April 22 | Mary Elizabeth Peach.       | - - -                      | Causeway Small Holding No. 1 and lands on the north side of Singlesole Road Buke Horn Road and on the south side of Thorney Causeway and town holding on the north side of Peterborough Road and the west side of Mill Drove and in Gas Lane. |
| 1910 April 27 | Alfred Alcock -             | - - -                      | Part of Lodge Farm &c.  |
| 1910 April 22 | Richard Edward Dowse.       | - - -                      | Lands in Little Towers Fen and Morris Fen and the Town Holdings Nos. 5 to 8 Wisbech Road South and Nos. 1 and 2 George Street.  |
| 1910 April 22 | Thomas Farrow -             | - - -                      | Allotments Mill Drove.  |
| 1910 April 22 | Richard Kitchen -           | - - -                      | Causeway Small Holding No. 2 &c.  |
| 1910 April 25 | Charles Edward Askew.       | Francis Charles Thorpe.    | Small holding in Morris Fen &c.   |
| 1910 April 27 | William James Tompkins.     | - - -                      | Windmill &c. in Great Towers Fen and Town Holdings Nos. 85 to 89 Wisbech Road North.  |
| 1910 June 13  | Marshall Chapman Hanson.    | - - -                      | Willow Hall Farm.   |
| 1910 April 1  | Richard Dring -             | - - -                      | English Drove Farm.   |
| 1910 April 22 | Joseph Topham -             | George Thompson.           | Land on south of Thorney Causeway and town holdings at the junction of Church Street and Whittlesey Road.   |
| 1910 April 22 | William Cave -              | - - -                      | Land in North Fen.  |
| 1910 April 22 | Thomas Gee -                | - - -                      | Land in Cobler's Fen and town holdings in Wisbech Road South Abbey Place and Church Street.   |
| 1910 April 26 | William Amps -              | - - -                      | Bar Pasture Farm and pasture in Fish Fen.   |
| 1910 April 22 | Lucy Cambers Hurry.         | - - -                      | Land in Great Towers Fen and Town Holdings Nos. 67 and 68 Wisbech Road North.   |
| 1910 April 22 | Rev. William Symons.        | - - -                      | Pasture in Great Towers Fen north of Thorney Causeway and Town Holdings Nos. 81 82 83 85 and 86 Causeway.   |
| 1910 April 22 | John Frederick Alderman.    | - - -                      |   |

[1 & 2 GEO. 5.] *Thorney Drainage Act, 1911.* [Ch. clxxxvii.]

A.D. 1911.

| Dates.        | Parties of the Fourth Part.  | Parties of the Fifth Part.  | Property conveyed.  |
|---------------|--|---|---|
| 1910 March 31 | Mary Hurry Gee -   | - - -   | Pasture in the Highlands on the east side of Whittlesey Road and town holdings known as the Steward's House and Grounds Nos. 12 and 13 Whittlesey Road. |
| 1910 April 27 | The County Council of the Administrative County of the Isle of Ely.      | - - -   | Part of Lodge Farm.   |
| 1910 April 27 | Robert Thomas Smith and Harry Newman.                                    | The County Council of the Administrative County of the Isle of Ely. | Do.   |
| 1910 April 25 | The People's Refreshment House Association Limited.                      | - - -   | The Rose and Crown Hotel.   |
| 1910 April 22 | Hugh Robert Brodie.  | - - -   | Nos. 36 to 41 Wisbech Road North.   |
| 1910 April 22 | George Forth -   | - - -   | Nos. 65 and 66 Wisbech Road North.  |
| 1910 April 22 | John Thomas Brown.   | - - -   | Town holdings used as garden on the north side of Wisbech Road.   |
| 1910 April 22 | Rev. Henry Arthur Penzer.  | - - -   | No. 4 Wisbech Road South.   |
| 1910 April 22 | Frederick William Goodwin.   | - - -   | Workshops and buildings on both sides of Gas Lane.  |
| 1910 April 25 | John Bailey and others trustees of Thorney New Benefit Friendly Society. | - - -   | Nos. 71 to 77 Wisbech Road North and blacksmiths' and wheelwrights' premises in the rear thereof.   |
| 1910 April 27 | Robert John Whittam.   | - - -   | Town holding used as garden ground on the west side of Gas Lane.  |
| 1910 April 27 | William Woodcock.  | - - -   | Town holding used as garden ground on the west side of Gas Lane.  |
| 1910 April 27 | John Pickering -   | - - -   | No. 83 Wisbech Road North.  |
| 1910 June 27  | Thomas Halford -   | - - -   | No. 84 Wisbech Road North.  |
| 1910 April 22 | Dr. Harold Clapham.  | - - -   | Town holdings on the east side of Whittlesey Road and at the junction of the Peterborough Road with Whittlesey Road.                                    |
| 1910 April 22 | George Alfred Slack Crick.   | - - -   | Nos. 8 and 9 Abbey Place.   |

A.D. 1911.

| Dates.        | Parties of the Fourth Part.   | Parties of the Fifth Part. | Property conveyed.  |
|---------------|---|----------------------------|---|
| 1910 July 9   | James Hard and others trustees of the Thorney Primitive Methodist Chapel. | John William Lisle.        | Primitive Methodist Chapel.   |
| 1910 April 27 | John Massey -   | - - - -                    | Town holdings used as garden ground on north side of Peterborough Road next above chapel. |
| 1910 April 22 | Ernest Gee -  | - - - -                    | Nos. 69 and 70 Wisbech Road North.  |

SECOND PART.

PURCHASE DEEDS EXECUTED SINCE THE WATER DEED.

| Dates.        | Parties of the Fourth Part.            | Parties of the Fifth Part. | Property conveyed.   |
|---------------|--|----------------------------|--|
| 1910 Oct. 13  | Hugh Provost -                         | Charles Bass               | French Farm.   |
| 1910 Oct. 13  | Do.                                    | - - -                      | Piece of land containing 3r. 26p. on the north side of French Drove or Singlesole Drove with two cottages thereon numbered 37 and 38 now or lately in the occupation of Hugh Provost or his under-tenants. |
| 1910 Nov. 7   | Charles William Brown.                 | - - -                      | Causeway Toll Farm.  |
| 1910 Nov. 7   | Do.                                    | Frederick William Miller.  | Pasture and arable land in Pode Hole Highlands containing 55a. Or. 26p. now or lately in the occupation of Charles William Brown.  |
| 1910 Nov. 18  | Samuel Murley Egar.                    | George Thompson.           | East Wryde Farm (part of).   |
|               | Edward Clark -                         |                            |  |
|               | George Wilkinson                       |                            |  |
| 1910 Nov. 18  | Do.                                    | Samuel Murley Egar.        | Do.  |
| 1911 March 23 | Thomas Edward Fullard.                 | - - -                      | Thorney Gasworks.  |
|               | Edward William Smith.                  |                            |  |
|               | Robert Thomas Smith.                   |                            |  |
|               | Charles Edward Askew.                  |                            |  |
| 1911 April 10 | The Rural District Council of Thorney. | - - -                      | Cottage No. 7 Wryde Croft.   |

[1 & 2 GEO. 5.] *Thorney Drainage Act, 1911.* [Ch. clxxxvii.]

All of which indentures referred to in the First and Second Parts respectively of this schedule are expressed to be supplemental to the will of the Most Noble Francis Seventh Duke of Bedford deceased and the other documents specified in the First and Second Parts of the Second Schedules to the purchase deeds under or by virtue of which the hereditaments situate in the Isle of Ely and county of Cambridge and known as the Thorney Estate were then vested in the will trustees for an estate of inheritance in fee simple in possession free from incumbrances upon certain trusts under which the Duke was equitable tenant for life in possession thereof and the will trustees were the trustees of the settlement made by such will for the purposes of the Settled Land Acts 1882 to 1890 and also supplemental to a disentailing assurance dated the 24th day of February 1910 and made between the Most Honourable William Sackville Russell commonly known as the Marquis of Tavistock and therein and herein called "the Marquis" of the first part the Duke of the second part and Rowland Edmund Prothero of the third part and to an indenture of appointment dated the 25th day of February 1910 and made between the Duke and the Marquis of the one part and the will trustees of the other part.

A.D. 1911.

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