ANNO NONO

GEORGII IV. REGIS.

Cap. lxxiii.

An Act for repairing the Road leading from *Chatteris Ferry*, through *Chatteris* and *March*, to *Wisbech Saint Peter's*, and from thence to *Tid Gote* in the *Isle of Ely*, and from *Wisbech* aforesaid, through *Outwell*, to *Downham Bridge* in the County of *Norfolk*. [23d *May* 1828.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending the Road from* Chatteris Ferry, *through* Chatteris *and* March, to *Wisbech Saint Peter's, and from thence to* Tid Gote *in the* Isle of Ely, *and from* Wisbech *aforesaid, through* Outwell, *to* Downham Bridge *in the County of* Norfolk; *and for repealing the several Acts for repairing the said Road between* Wisbech *and* March: And whereas another Act was passed in the Seventh Year of ~~the~~ Reign of His said late Majesty, intituled *An Act to amend an Act made in the Fifth Year of His present Majesty, for amending the Road from* Chatteris Ferry, *through* Chatteris *and* March, *to* Wisbech Saint Peter's, *and from thence to* Tid Gote *in the* Isle of Ely, *and from* Wisbech *aforesaid, through* Outwell, *to* Downham Bridge *in the County of* Norfolk; *and for repealing the several Acts for repairing the ~~said~~ Road between* Wisbech *and* March; *and also for charging certain Lands in* Waldersea *and on* Wisbech *South Side towards the Repairs of the* Waldersea *and South Side Banks, which before the passing of the said Act were liable to such Repairs*: And whereas another Act was passed in the Twenty-sixth Year of the

5 G. 3. c. 83.

7 G. 3. c. 100.

26 G. 3. c. 133. Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of Two Acts made in the Fifth and Seventh Years of His present Majesty, for repairing certain Roads therein mentioned, leading from* Chatteris Ferry *to the Town of* Wisbech Saint Peter's *in the* Isle of Ely, *and other Places in the said Acts mentioned*: And whereas another Act was passed in the Forty-seventh Year of the Reign of

47 G. 3. c. 52. His said late Majesty, intituled *An Act to continue and amend Three Acts passed in the Fifth, Seventh, and Twenty-sixth Years of His present Majesty, for repairing certain Roads therein mentioned, leading from* Chatteris Ferry *to the Town of* Wisbech Saint Peter's *in the* Isle of Ely, *and other Places in the said Acts mentioned*: And whereas the Trustees appointed in or by virtue of the said recited Acts have proceeded in the Execution thereof, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Roads, great Part of which Money still remains due and owing, and cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Terms and Powers of the said Acts are enlarged, and the Tolls altered and regulated: And whereas an Act was passed

3 G. 4. c. 126. in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His

4 G. 4. c. 95. present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty,

5 G. 4. c. 69. intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas another Act was passed in the Seventh and

7 & 8 G. 4. c. 24. Eighth Years of the Reign of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in* England: And whereas it would facilitate the Execution of the Purposes aforesaid if the said first Four recited Acts were repealed, and if the Powers thereby given, and such further and other Powers and Provisions as may be necessary for repairing and maintaining the said Roads, were granted and comprised in one Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Recited Acts of 5, 7, 26, and 47 G. 3. repealed.

That upon the First Day of *August* next after the passing of this Act, the said recited Acts passed in the Fifth, Seventh, Twenty-sixth, and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby respectively declared to be repealed, except so far as the same or any of them repealed any former Act or Acts.

This Act to be put in execution for the Term after mentioned.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Roads leading from *Chatteris Ferry*,

Ferry, through *Chatteris Field* and *Chatteris Town*, in the *Isle of Ely* in the County of *Cambridge*, to *Carter's Bridge*, and over the said Bridge, through the several Towns, Parishes, and Hamlets of *Doddington*, *Wimblington*, and *March*, in the said Isle, to a Bridge over the River *Nene* in *March* aforesaid, and over the said Bridge to a Place called *Guyhirn Corner*, and from thence on the South Side of the River Bank to the House formerly of *William Higgins*, now called the *Ferry Boat* Public House, and from the said House upon the said Bank to the Bridge over the said River in *Wisbech Saint Peter's* in the said *Isle of Ely*, and over the said Bridge to a Bridge called *Dowgate Bridge*, and from thence, through the Gap in the ancient Sea Bank, and Part of the Parishes of *Leverington* and *Newton*, to *Tid Gote* in the said *Isle of Ely*, and from *Wisbech Bridge* aforesaid, through the Town of *Wisbech Saint Peter's*, to *Enneth* in the County of *Norfolk*, and from thence to a Place formerly called *Milldam*, and over the said Dam to *Outwell Bridge*, and from the said Bridge on the North Bank of *Well Creek* to the West End of the *New Powdike*, and from thence on the North Side of the *New Powdike* to the West End of a Place called *Northdelph Corner*, and from thence upon the Bank to the Bridge over the said Creek at *Northdelph Corner*, and from the said Bridge at the Bottom of the Bank to a Place called *Salter's Load*, and from thence on the North Side of the River *Ouze* to *Downham Bridge* in the County of *Norfolk*.

New Term and Tolls liable to former Debts.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies heretofore borrowed, and now due and owing upon the Credit or on account of the said first Four recited Acts respectively, or secured upon or made payable out of the Tolls thereby authorized to be taken, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

Powers of General Turnpike Acts extended to this Act.

IV. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed,) shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

V. And

Former Debts, &c. vested in new Trustees.

V. And be it further enacted, That all Arrears of Tolls or Rents or other Monies due to, and Property, Real or Personal, and all Choses in and Rights of Action either at Law or in Equity, vested in the said Trustees under the said first Four recited Acts, or any of them, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act.

Former Books to be Evidence.

VI. And be it further enacted, That all and every the Books and Book of Proceedings which have been kept by the Trustees acting in the Execution of the Acts hereby repealed, or any of them, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

Bonds, Contracts, &c. to remain in force.

VII. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, Leases, Mortgages, and Securities, made to or by or entered into by any Person or Persons to or with the Trustees for executing the said recited Acts hereby repealed, or any of them, shall remain and continue in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees for executing the said recited Acts hereby repealed, or any of them, with or to any Person or Persons, for any Purpose relating to the said Roads or to the Execution of such Acts, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms and Stipulations thereof.

Where old Securities are lost, new ones may be executed.

VIII. And whereas some of the Creditors on the said Roads may have lost or mislaid the Mortgages or Assignments of the Tolls executed by the Trustees for securing to him, her, or them the Principal Money lent on the Credit of the said Acts hereby repealed, or the Tolls thereby granted, with Interest for the same, or the Transfers of such Mortgages or Assignments, and it is reasonable that in Cases where it can be proved to the Satisfaction of the Trustees that any Person is truly and *bonâ fide* entitled to any Sum or Sums of Money secured on the Tolls granted by the said last-mentioned Acts or any of them, although they may not be able to produce the said Mortgages, Assignments, or Transfers, that other Mortgages or Assignments of the Tolls hereby granted shall be executed for securing the Repayment of the Money now due on the Credit of the said Acts or the Tolls thereby granted; be it therefore further enacted, That in all Cases where it shall appear by any satisfactory Evidence adduced at any Meeting of the said Trustees, that any Person or Persons is or are a Creditor or Creditors on Security of the Tolls granted by the said Acts hereby repealed or any of them, and that the Mortgage or Assignment of the Tolls for securing any such Sum or Sums of Money,

or

or the Transfer thereof, has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Trustees, or any Three or more of them, to execute, at the Expence of the Person or Persons applying for the same, an Assignment of the Tolls by this Act granted, for the Sum or Sums of Money mentioned in such original Assignment or Transfer, and the Interest thereof; and every Assignment or Transfer so to be executed shall be valid and effectual for the Purposes thereby intended.

Appointment of Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the *Isle of Ely* and for the Counties of *Cambridge* and *Norfolk* respectively, together with *Harrison Adkins*, *Richard Atkinson*, *Thomas Aveling*, *Edmund Barley*, *Richard Baxter*, *Morley Beart*, *Frederick Brown Bell*, *John Bellamy*, *Thomas Tombleson Berry*, *John Bird*, *Edward Blackborn*, *John Blench*, *William Bonfield*, *Thomas Bonfield*, *Charles Boucher*, *William Boyce*, *Edmund Burton*, *John Russell Christopherson* Clerk, *Joseph Climenson*, *Thomas Cole*, *Charles Culledge*, *William Curtis*, *Francis Daubeny* Clerk, *William Dow*, *John Dow*, *John Carrington Dunn*, *Joseph Feast*, *Alexander Fraser*, *Thomas Frusher*, *Thomas Fryer*, *Daniel Fryer*, *Robert Gaye*, *John Girdlestone*, *Steed Girdlestone*, *Samuel Golden*, *William Golden*, *William Gouldin*, *Thomas Gouldin*, *Thomas Gray*, *Nathan Gray*, *Thomas Grounds*, *Joseph Hannath*, *Thomas Hare*, *William Haseldine*, *Thomas Pattison Holmes* Clerk, *William Hopkin*, *Adderley Howard*, *Charles Hursthouse*, *Edward Ilett*, *Joseph Jackson*, *Hugh Jackson*, *William Goddard Jackson*, *Edward Jackson*, *William Jecks*, *Hardy Johnson*, *John Johnson* of *Leverington*, *John Guy Kelk*, *Robert Jarrold King* Clerk, *Matthew Laxon*, *Henry Leach*, *Thomas Leavins*, *William Lee*, *James Lee*, *Robert Hutchinson Lewin*, *Thomas Life*, *Charles Mann* Clerk, *John Marshall*, *John Goddard Marshall*, *Joseph Marshall*, *John Marshall* the younger, *Richard Matthews*, *Charles Metcalfe*, *Charles Metcalfe* the younger, *George Morris*, *William Neale*, *William Orton*, *Richard Orton*, *Richard Orton* the younger, *Richard Oswin*, *Robert Francis Pate*, *Jonathan Peckover*, *William Peckover*, *William Pratt*, *John Ratcliffe*, *William Rayner*, *Thomas Richards*, *Thomas Richardson*, *John Richardson* the elder, *Henry Rogby*, *Richard Rowell*, *Richard Ruston*, *William Ruston*, *John Ruston*, *Joseph Saberton Saberton*, *Henry Saffery*, *William Say*, *William Seward*, *Thomas Sewell*, *Henry Skells*, *Charles Smith* Clerk, *Joseph Smith*, *John Smith*, *Stephen Stanton*, *Spelman Swaine*, *John Tomlinson*, *James Usill*, *Abraham Usill*, *James Utton*, *Thomas Wales*, *Robert Ward*, *Henry Warth*, *William Watson*, *James Watson*, *Thomas Steed Watson* the younger, *William Waudby*, *John Rose Weatherhead*, *Robert West*, *John Wing*, *John Woodward*, *Hugh Wooll* the younger, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, improving, and keeping in repair the said Roads, and for otherwise carrying this Act into execution.

Meetings of Trustees.

X. And be it further enacted, That the said Trustees shall meet together on the First Day of *August* next after the passing of this Act,

Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, at the *Town Hall* or at some other convenient Place in the Town of *Wisbech Saint Peter's* aforesaid, and shall then and there proceed to carry this Act into execution, and shall and may from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places on or near to the said Roads, as the said Trustees, or the major Part of them present at any such Meetings, shall think proper and appoint; provided that there shall be One General Annual Meeting of the said Trustees held alternately at the Towns of *Wisbech Saint Peter's* and *March* aforesaid, on the *Tuesday* next preceding the Twenty-fourth Day of *June* in every Year, for the passing and settling of the Accounts of the Treasurers, Surveyors, Collectors, Clerks, and other Officers of the said Trustees, and for the Choice of Trustees duly qualified in the Room of such as shall be dead or become disqualified or refuse to act, and for other the Purposes of this Act.

Power to appoint Five additional Trustees.

XII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, not exceeding Five in the whole, in addition to the Number of the Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, and being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Old Officers to continue until new ones elected.

XIII. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Seventh and Eighth Years of the Reign of His present Majesty, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said Acts hereby repealed or any of them, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk, Receiver, Collector, Surveyor, and other Officer, shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever as if he had been appointed by virtue of this Act.

Power to continue and erect Toll Gates.

XIV. And be it further enacted, That it shall be lawful for the said Trustees to continue or to remove all and every or any of the Toll Gates, Turnpikes, Side Bars, and Chains now standing or being in, upon, or across the said Roads or on the Sides thereof, and also from Time to Time to erect and set up, or cause to be erected and set up, in, upon, or across the said Roads, or any Part thereof, when, where, and as the said Trustees shall judge necessary or expedient, any Toll

Gate or Toll Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains; and also to continue, or, where need shall be, to erect and build, or cause to be erected and built, proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near each and every such Toll Gate, Turnpike, Side Bar, or Chain, and to inclose on the Sides of the said Roads suitable Gardens, not exceeding One Eighth Part of a Statute Acre each, for the Use and Convenience of the Occupiers of the said Toll Houses; and from Time to Time to take down and remove or alter and discontinue the aforesaid Toll Gates, Turnpikes, Side Bars and Chains, Toll Houses and Gardens, or any of them, as the said Trustees shall from Time to Time think proper and expedient.

Power to take Tolls.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing or being or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads or any Part thereof, Once on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Tolls.

For every Horse or other Beast, except Asses, drawing any Coach, Barouche, Barouchet, Sociable, Landau, Landaulet, Chariot, Chaise, Caravan, Phaeton, Curricle, Gig, Chair, Cartee, Break, Hearse, Litter, or other such Carriage, the Sum of Sixpence:

For every Ass drawing any Chaise, Gig, Cartee, or other Two or Four-wheeled Carriage, the Sum of Three-pence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Ass, laden or unladen, and not drawing, the Sum of One Penny:

For every Horse or other Beast drawing any Waggon, Wain, Drag, Cart, or other such Carriage, or Threshing Machine, having the Fellies of the Wheels at the Bottoms or Soles thereof of the Breadth of Six Inches and upwards, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, or Threshing Machine, having the Fellies of the Wheels at the Bottoms or Soles thereof of the Breadth of Four Inches and a Half and less than Six Inches, the Sum of Three-pence Three Farthings:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage or Threshing Machine, having the Fellies of the Wheels at the Bottoms or Soles thereof of less Breadth than Four Inches and a Half, the Sum of Four-pence Halfpenny:

For every Horse or other Beast drawing any Carriage, Drag, or Machine drawn by Two or more such Beasts, and carrying any Tree or Trees, or Timber or Stone, at any Time between the Months of *October* and *March*, the additional Sum of One Penny Halfpenny:

For

For every Four-wheeled Carriage drawn and in any Manner fixed to any other Carriage drawn by any Horse or other Beast, the Sum of One Shilling:

For every Two-wheeled Carriage drawn and in any Manner fixed to any other Carriage drawn by any Horse or other Beast, the Sum of Sixpence:

For every Five Oxen, Cows, or other large Cattle, not drawing, the Sum of Three-pence:

For every Ox, Cow, or other large Cattle less than Five, not drawing, the Sum of One Halfpenny:

For every Ox, Cow, or other large Cattle, not drawing, exceeding a Number of Five, where the Excess shall be less than Five, the Sum of One Halfpenny:

For every Five Sheep or Lambs, Hogs, Calves, or other small Cattle, the Sum of One Penny Halfpenny:

For every Sheep, Lamb, Hog, Calf, or other small Cattle less than Five, the Sum of One Farthing:

For every Sheep, Lamb, Hog, Calf, or other small Cattle, exceeding a Number of Five, where the Excess shall be less than Five, the Sum of One Farthing:

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike or Toll Gate, Side Bar or Side Gate or Chain; and such respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied in manner herein-after directed.

Tolls to be paid but Once a Day.

XV. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of the said Toll Gates, Bars, or Chains continued or erected or to be erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls to be taken on the same Day.

XVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Three full Tolls to be demanded or taken on the same Day, for or in respect of the Passage of the same Horses, Beasts, Cattle, and Carriages through all the several Turnpikes or Toll Gates now erected or to be erected on the whole Line of the said Roads between *Chatteris Ferry* and the Town of *Wisbech Saint Peter's* aforesaid, nor more than Two full Tolls on the same Day for or in respect of the Passage of the same Horses, Beasts, Cattle, and Carriages through all the several Turnpikes or Toll Gates now erected or to be erected on the whole Line of the said Road between the Town of *Wisbech Saint Peter's* aforesaid and

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Tid Gote, nor more than Three full Tolls on the same Day for or in respect of the Passage of the same Horses, Beasts, Cattle, and Carriages through all the several Turnpikes or Toll Gates now erected or to be erected on the whole Line of the said Road between the Town of *Wisbech Saint Peter's* aforesaid and *Downham Bridge*.

Stage Coaches, &c. to pay every Time of passing.

Post Chaises on every new Hiring.

XVII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads or any of them, and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads or any of them, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Application of Tolls and otherMonies.

XVIII. And be it further enacted, That out of any Monies already received or to be received by virtue of the said Acts hereby repealed or any of them, or out of the first Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first place pay and discharge all the Expences and Costs relative to the procuring and passing of this Act, and all Monies advanced or borrowed from Time to Time for that Purpose, with lawful Interest for the same, and the Remainder of such Monies shall from Time to Time be employed in repairing and erecting Toll Houses, Toll Bars, Side Gates, Side Bars, Chains, and Weighing Machines, and in amending, widening, altering, and improving the said Roads and keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into Execution, and in repaying the Principal Monies by this Act charged or to be borrowed, and the Interest due and to grow due thereon.

Tolls not to be applied in repairing Streets.

XIX. Provided always, and be it further enacted, That no Part of the Tolls received by virtue of the said recited Acts or any of them, or of this Act, shall be laid out or expended in repairing or maintaining any of the Roads or Streets through or in the Towns of *Chatteris*, *March*, and *Wisbech Saint Peter's*, or any of them.

Exemptions.

XX. And be it further enacted, That no Toll shall be demanded or taken, by virtue of this or any of the said recited Acts, for any Horse, Cattle, Beast, or Carriage employed in the Carriage or Conveyance of any Hemp or Flax intended to be stacked or laid up in any of the Parishes, Hamlets, or Places in or through which the said Roads pass, from the Lands on which such Hemp or Flax shall have been grown to the Place where the same shall be wretted, watered, or spread, and from thence to the Place where the same is intended to be so stacked or laid up as aforesaid; or for any sucking Foal, Mule, or Ass under the Age of Six Months, attending its Dam; or for any Horse or other Beast haling or drawing any Boat, Barge, or other Vessel, or any Waggon, Cart, or other Carriage, employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in

carrying or conveying, on the same Day, any Timber, Wood, Iron, Stone, Earth, Bricks, Silth, or other Materials, or any Implements or Tools for the Purposes of making, maintaining, or repairing any Bank or Work of Drainage already made and maintained, or hereafter to be made and maintained, at the Expence of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*; or for any Horse or other Beast employed in haling or drawing any Machine for deepening, roding, or cleansing any River or Drain adjoining or near to any of the said Roads; or for any Horse, Mule, or Ass ridden by any Officer or Servant of the *Bedford Level* Corporation, when actually employed in the Business of the said Corporation; or for any Horse, Cattle, Beast, or Carriage employed by the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or any of their Officers or Agents, as well for the said Purposes as for the bearing, harrowing, cleansing, and scouring out of any of the Rivers or Drains within their Jurisdiction; and if any Person shall in any fraudulent or collusive Manner whatsoever claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Commissioners of Sewers for Wisbech Hundred, &c. to have a free Passage through certain Gates.

XXI. And be it further enacted, That the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent shall and may from Time to Time and at all Times hereafter have a Passage Toll-free through any Gate or Gates, Bar or Bars, already set up or erected, or to be set up or erected, between the Towns of *Wisbech Saint Peter's* and *Leverington* aforesaid, for themselves, their Agents, Officers, Servants, and Workmen, Horses, Carts, and Carriages, for the viewing, bearing, harrowing, and cleaning of the River, and for surveying and repairing the Banks thereof, and for doing every other Work necessary to be done in and about the said River and Banks, or any of them; and all and every Persons and Person employed in the haling of Barges or other Vessels in the River between *Wisbech Town* and *Sutton Washway* shall have the like free Passage through such Gate or Gates, Bar or Bars, for themselves, and their Horses or other Beasts employed in the said Business; and all Persons and Horses shall have the like free Passage in their Way to and from the Corn Mills now standing, or which at any Time hereafter during the Continuance of this Act shall be standing, upon the Bank of the said River, between the Town of *Wisbech Saint Peter's* and the *Horse Shoe*.

Trustees may continue or erect Fences upon the Sides of or in Lanes leading into the Roads.

XXII. And be it further enacted, That the said Trustees shall and may continue the present Rails or Fences, or cause to be set up and erected such new or other Rails or Fences as they shall think proper, on the Sides of the said Roads, or upon, across, or on the Sides of the Bank lying on the West Side of *Wisbech* River in the *Isle of Ely* and in the County of *Norfolk*, or either of them, or in, upon, or across any of the Lanes or Droves leading to the said Roads and Bank, or either of them, and lying within the said *Isle of Ely* and the County of *Norfolk*, or either of them, on, upon, across, or

on the Sides of the Bank called the *Old Powdike*, for preventing any Passage upon the said Banks or the Sides thereof, or on the said Roads, or in or through the said Lanes or Droves, for Horses, Cattle, Beasts, or Carriages, without Payment of the Tolls; provided always, that the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent shall and may have from Time to Time a free Passage upon or on the Side of the River Bank, for themselves, their Agents, Officers, Servants, and Workmen, Horses, Carts, and Carriages, for the viewing, bearing, harrowing, and cleansing of the said River, and for surveying and repairing the said Bank, and for doing every other Work necessary to be done in and about the said River and Bank; and if the said Trustees shall continue, or at any Time or Times after the Commencement of this Act set up or place, any Rails or Fences across any Lanes or Droves leading into the said Roads or any of them, where no Toll House shall be erected, then they the said Trustees shall fix a Gate in such Fences, and find and provide *gratis*, for every Occupier of Land who from the Situation of his or her Land shall have Occasion to pass through the said Fences, a Key to every such Gate, so that such Occupier shall and may have a Passage for himself or herself, and his or her Servants, Cattle, and Carriages, to and from his or her Land, and not otherwise; and if such Occupier shall lose such Key, then he or she so losing the same shall provide another at his or her own Expence; provided that if any such Occupier of Land, his or her Servant or Servants, shall wilfully leave any such Gate or Gates open, or permit any Person or Persons not entitled to such Passage to pass through such Gate or Gates, with any Horse, Cattle, Beast, or Carriage, to evade the Payment of the Tolls to be collected by virtue of this Act, then every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Gates to be erected in certain Cases, and Keys provided for Occupiers of Lands.

XXIII. And whereas Part of the said Roads which are made upon the Banks of the River *Nene*, and of the River running through the Parishes of *Outwell*, *Stow Bardolph*, and *Downham*, have of late Years been considerably damaged and rendered dangerous and unsafe by Persons driving Cattle down the Banks of the said Rivers to water, and also by Cattle straying to the said Rivers to drink; be it therefore enacted, That from and after the Commencement of this Act, if any Horse, Cow, Beast, or other Cattle shall at any Time be driven or be found straying down the Banks of the said Rivers or either of them, or otherwise trespassing on or damaging the Banks of the said Rivers or either of them, upon or adjoining to which any Part of the said Roads are situate, it shall be lawful for any Officer or Officers, or other Person or Persons appointed or to be appointed by the said Trustees, to seize and impound such Horse, Cow, Beast, or other Cattle in the Common Pound of the Parish or Place where the same shall be driven, or be found straying, trespassing, or doing Damage as aforesaid, or in such other Place as the said Trustees shall appoint, and the same there to detain until the Owner or Owners thereof shall, for each Horse, Cow, Beast, or other Cattle impounded, pay a Sum of Money not exceeding Forty Shillings, to the Treasurer for the Time being of the said Trustees, towards the Purposes of this Act, and also the Sum of One Shilling to the Person impounding the same, besides

Cattle trespassing on the Banks on the River to be impounded.

besides the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sums, Charges, and Expences shall not be paid within Seven Days after such impounding, it shall be lawful for the Pound Keeper, or such other Person as shall be appointed by the said Trustees for that Purpose, giving Seven Days previous Notice of the intended Sale to the Owner or Owners of such Horse, Cow, Beast, or other Cattle, or if the Owner or Owners thereof cannot be found, within Three Days after advertising the same in some public Newspapers usually circulated in the *Isle of Ely* and County of *Norfolk*, to sell or cause the same to be sold; and the Money arising from such Sale, after deducting the said Sums, and the Charges and Expences aforesaid, and of such Notice and Sale, shall be paid to the said Treasurer, to be by him paid over to the Person whose Property the Horse, Cow, Beast, or other Cattle so sold shall appear to have been.

Trustees may agree for and take a Lease of Chatteris Ferry Tolls.

XXIV. And whereas *Steed Girdlestone* of *Wisbech Saint Peter's* aforesaid, Gentleman, claims to be entitled to, and doth now by himself or his Lessees take and receive, certain prescriptive Payments or Tolls for the Passage of Horses, Cattle, and Carriages through a Bar or Toll Gate belonging to him, erected and set up at *Chatteris Ferry* in the Parish of *Chatteris* aforesaid, adjoining to or communicating with the said Road intended to be repaired by virtue of this Act; and it may be expedient that the said Trustees should be empowered to agree with the said *Steed Girdlestone*, or the Owner or Owners for the Time being of the said prescriptive Payments or Tolls, for a Lease thereof, to the Intent that the same may be held and applied by the said Trustees for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees for executing this Act, and they are hereby authorized, at any Time after the passing of this Act, to treat and agree with the Owner or Owners for the Time being of the said prescriptive Payments or Tolls, and to accept and take from him or them a Lease of the said prescriptive Payments or Tolls payable at the said Bar or Toll Gate at *Chatteris Ferry* aforesaid, and of the Revenues, Profits, and Income thereof, and of the said Bar or Toll Gate, and the Toll House thereto adjoining, and the Site, Soil, Ground, Premises, and Appurtenances belonging thereto, and of the several Powers, Remedies, Privileges, and Authorities for collecting and receiving the said Payments or Tolls, unto the said Trustees, or unto such Person or Persons as they shall, at any Meeting or Meetings to be held by them under the Authority of this Act, order or direct, at such Time or Times, and for and during such Term of Years, and at and under such yearly Rent or Sum of Money, payable at such Time or respective Times, and with, under, and subject to such several Terms, Provisoes, Conditions, and Covenants as shall be agreed upon by and between the said *Steed Girdlestone*, his Heirs or Assigns, or the Owner or Owners for the Time being of the said prescriptive Payments or Tolls, and the said Trustees, and to execute, or cause to be executed by any Three or more of the said Trustees, a Counterpart of such Lease; and that in such Lease the several Payments or Tolls payable at the said Bar or Toll Gate as aforesaid shall be specified and set forth, and the same

several

several Payments or Tolls, and no others, shall from Time to Time be taken by the said Trustees, or their Lessees or Tenants, at the said Bar or Toll Gate.

Trustees to pay reserved Rent out of the Tolls.

XXV. And be it further enacted, That after any such Lease shall have been made and executed as aforesaid, the Treasurer or Receiver for the Time being of the Tolls and Duties to be collected and received by virtue and in pursuance of this Act, shall and may, and he is hereby authorized and required, out of the said last-mentioned Tolls and Duties, from Time to Time during the Continuance of this Act, to pay or cause to be paid unto the Owner or Owners for the Time being of the said prescriptive Payments or Tolls, such yearly Rent or Sum as shall be mentioned and reserved in and by such Lease, at such Time or Times, by such Portions, and in such Manner as shall be therein specified, and according to the Reservation thereof to be therein contained.

Power for the Lessor to take Possession on Neglect of Payment of Rent.

XXVI. Provided always, and be it further enacted, That when and so often as such yearly Rent or Sum to be mentioned and reserved in and by such Lease as aforesaid, or any Part thereof, shall happen to be behind or unpaid for the Space of Forty Days next after any of the Days which shall be therein mentioned, limited, or appointed for the Payment thereof, then, and from Time to Time so often as it shall so happen, it shall be lawful for the Owner or Owners for the Time being of the said prescriptive Payments or Tolls to take Possession of the Toll House, Toll Gate, and Premises so to be leased as aforesaid, with the Appurtenances thereto belonging, or of any other Toll House and Toll Gate to be erected and set up, or continued or used, by virtue and in pursuance of this Act, and to receive and take the Tolls and Duties payable thereat respectively, to and for his and their own Use and Benefit, until thereby or therewith, or otherwise, all Arrears of such yearly Rent or Sum which shall have then grown due, or which during such Possession shall grow due, and all Costs and Charges attending such Entry upon and Perception of the said Tolls and Duties, and all Damages which he or they shall have sustained by reason of the Nonpayment of such yearly Rent or Sum, shall be fully satisfied and paid to him or them.

Owners of the Ferry to have Free Passage.

XXVII. Provided always, and be it further enacted, That the Owner or Owners for the Time being of the said prescriptive Payments or Tolls shall have a free Passage for himself and themselves, and for his and their Family, Servants, Horses, Cattle, Carts, and Carriages, at all Times during the Continuance of any such Lease as aforesaid, through the said Bar or Toll Gate at *Chatteris Ferry* aforesaid, without Payment of any Toll, Duty, or Compensation whatsoever to the said Trustees, or their Agents, Servants, Lessees, or Tenants, or any of them, for the same.

After the Expiration of the Term, Tolls to revert to the Owners.

XXVIII. And be it further enacted, That from and immediately after the Expiration or sooner Determination of the Term for which such Lease shall be made as aforesaid, the said prescriptive Payments or Tolls, and other the Premises to be therein comprised as aforesaid, shall

shall revert to and be held, received, taken, and enjoyed by the Owner or Owners thereof for the Time being.

Reservation of the Rights of the Lord of the Manor of Chatteris Ramsey.

XXIX. Provided nevertheless, and be it further enacted, That nothing in this Act or in such Lease to be contained shall prejudice, impeach, or defeat the Right, Title, or Interest of the Lord or Lords of the Manor of *Chatteris Ramsey*, of, in, or to any Fines, Reliefs, Rents, Heriots, Forfeitures, or any other Customary Payments, Dues, and Services incident or belonging to the said Manor, or to the Lord or Lords thereof respectively for the Time being, or any other Right or Privilege of or belonging to the Lord or Lords of the said Manor, but that all such Fines, Reliefs, Heriots, Rents, Forfeitures, and other Customary Payments, Dues, and Services, and all Remedies for Recovery of the same, and all other such Rights and Privileges, shall be and are hereby saved and reserved to the said Lord or Lords of the Manor of *Chatteris Ramsey* aforesaid, in as full, ample, extensive, and beneficial Manner as the same are now held and enjoyed by the said Lord or Lords.

Bridges, &c. in the Road not to be removed without Consent of the Trustees.

Roads to be common Highways.

No Bridges, &c. to be built by which Toll may be evaded.

XXX. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall at any Time during the Continuance of this Act pull down, take down, or remove, or cause to be pulled down, taken down, or removed, any Bridge, Arch, or Tunnel, (otherwise than for the repairing thereof) in any Part of the Roads hereby intended to be repaired, without the Consent in Writing of the said Trustees; and the Road leading over each and every Bridge, Arch, and Tunnel shall be deemed, adjudged, and taken to be a common Highway, and all Persons obstructing the Passage over any such Bridge, Arch, or Tunnel shall be proceeded against and punished as Persons who stop or obstruct the King's Highway; and if any Person or Persons, Body or Bodies Politic or Corporate, shall build or cause to be built any Bridge, Arch, or Tunnel over any River, Drain, or Ditch where there is or shall be no Bridge, Arch, or Tunnel at the Time of the passing of this Act, or shall make or cause to be made any Passage over or through any River, Drain, or Ditch, within the Distance of One Mile of each Side of the said Road, by means of which the Payment of the Tolls hereby granted may be avoided, such Person or Persons, Bodies Politic or Corporate, building or making or causing to be built or made such Bridge, Arch, Tunnel, or Passage, shall be liable to the Penalties by this Act or by the said recited Acts or any of them inflicted on Persons causing or permitting or suffering Evasion of Toll: Provided always, that nothing in this Act contained shall extend or be construed to extend to prevent or hinder any Person or Persons from making any private Communication between his or their Lands or Grounds.

Certain Bridges to be repaired by the Trustees under the Direction of the Bedford Level Corporation.

XXXI. And whereas the said Road between the Towns of *Chatteris* and *Wisbech Saint Peter's* aforesaid is carried over the Bridge called *Carter's Bridge* over *Vermuyden's Drain* or the *Forty Foot*, over a Bridge called *Stud Bridge* in *Stud Bridge Drove*, the Bridge over *Moore's Drain* or the *Twenty Foot*, and the Bridge over *Bexill's Leams*, all which Bridges formerly belonged to and were repaired by the Governor, Bailiffs, and Commonalty of the Company of Conservators

of the Great Level of the Fens called *Bedford Level*, but under the Provisions of the said Acts hereby repealed have been maintained and repaired at the Expence of the said Trustees; be it enacted, That from the Commencement of this Act, and thenceforth during the Continuance thereof, all the said Bridges shall be maintained and repaired, under the Direction and Inspection of the Corporation Officers in whose District the said Bridges are situate, so often as shall be necessary, at the sole Expence of the Trustees of this Act, out of the Tolls that shall be raised thereby; and if the said Trustees shall neglect or refuse to repair any of the said Bridges, being out of repair, for the Space of Ten Days after Notice given to their Clerk in Writing specifying the particular Bridge which wants Repair, such Notice to be given under the Hand of the Officer of the *Bedford Level* Corporation for the Time being within whose District the said Bridge so wanting Repair shall be situate, and left with the Collector of the Toll Gate which shall be nearest to the said Bridge so wanting to be repaired, and in case there shall be Two Toll Gates at equal Distances from the said Bridge, then with either of the Collectors of the said Tolls at either of the said Gates, that then it shall be lawful for the said Governor, Bailiffs, and Conservators of the said Corporation, or any Five or more of them, whereof the said Governor, Bailiffs, or any of them, to be Two, forthwith to direct the Repair thereof; and so soon as the same shall be repaired, the said Governor or Bailiffs and Conservators, or any Five or more of them, whereof the said Governor or Bailiffs or any of them to be Two, to order their Receiver General for the Time being to draw on the Collector of the Tolls at the Gate where the said Notice was left for the Money laid out and expended by their Officer in the Repair of any such Bridge or Bridges, who shall, out of the first Monies that shall come to his Hands by the said Tolls, after the said Draft shall be so to him presented, pay and satisfy the same, which Draft so paid shall afterwards be allowed in his Account, as fully as if the same had been by him paid by Order of the said Trustees, the said Tolls always to be liable and applicable to the Payment of the said Drafts, prior to any Charge on the same.

As to the Repairs of Tong's Drain Bridge.

XXXII. And whereas the said Road between the Town of *Wisbech Saint Peter's* and *Downham Bridge* aforesaid is carried over the Bridge erected over the *Tong's Drain* at the Entrance of the said Drain into *Well Creek*; be it therefore further enacted, That from the Commencement of this Act, and thenceforth during the Continuance thereof, the Road over the said Bridge, and also the Arch of such Bridge under the said Road from the Top of the springing Walls of the said Arch, together with the Parapets of the same Bridge, shall also be maintained and repaired, so often as shall be necessary, at the Expence of the Trustees for executing this Act out of the Tolls to be raised thereby, under such and the like Direction and Superintendence, on such and the like Notices, and with such and the like Provisions in all respects for the Repairs thereof, as are herein-before mentioned and contained with respect to the Repairs of the said Bridges called *Carter's Bridge* and *Stud Bridge*, and the said Bridges over *Moor's Drain* or the *Twenty Foot* and *Bevill's Leam*, and in no other Manner nor by any other Person or Persons whomsoever.

XXXIII. And

Wisbech Canal Bridge, late New Common Bridge, to be repaired by the Canal Company, and the Road over it by the Trustees under this Act.

XXXIII. And whereas the said Road between the Town of *Wisbech Saint Peter's* and the Parish of *Elm* aforesaid is carried over a certain Bridge erected by the *Wisbech* Canal Company, incorporated by an Act passed in the Thirty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making a navigable Canal from* Wisbech *River at the* Old Sluice *in* Wisbech *in the* Isle of Ely, *to join the River* Nen *in the Parish of* Outwell *in the County of* Norfolk, *and for improving the Navigation of the said River from* Outwell Church *to* Salter's Load Sluice, on or near to the Site of a former Bridge over *Elm Leam* called *New Common Bridge*; and the said Bridge so erected by the said *Wisbech* Canal Company is the sole Property of the said Company, and has ever since the Erection thereof been supported and maintained by and at the sole Expence of the said Company, without any Contribution towards such Expence from the Trustees under the said Acts hereby repealed, except as to providing Gravel and other Materials for forming and making the Road over the said Bridge; be it therefore enacted, That from the Commencement of this Act, and thenceforth during the Continuance thereof, the said last-mentioned Bridge shall from Time to Time be maintained and repaired, when and as often as it shall be necessary, by and at the sole Expence of the said Company, the Trustees under this Act maintaining and repairing the Road over the said Bridge and the Approaches thereto with Gravel and other proper Materials at the Expence of the Funds of the said Trustees; provided always, that if at any Time during the Continuance of this Act the said *Wisbech* Canal Company shall omit or neglect to maintain and repair the said last-mentioned Bridge, when there shall be Occasion so to do, then and so often as it shall so happen the Trustees for executing this Act shall and they are hereby required to maintain and support the said last-mentioned Bridge out of the Tolls to be raised under this Act; and the said Trustees shall be at liberty, at any Time after any Expenditure of Monies by them in the Maintenance and Support of the said last-mentioned Bridge, to require from the said Company the Repayment of any such Monies which shall have been so expended by and out of the said Tolls as aforesaid, and to enforce such Repayment, if necessary, against the said Company, by an Action or Actions at Law, to be brought in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Pleas for the *Isle of Ely*, against the Treasurer or Receiver of the Funds and Revenues for the Time being of the said Company, and which Treasurer or Receiver shall be liable and obliged to repay the Monies so expended by the said Trustees, by and out of the Monies or Funds then in his Hands, or by and out of the first Monies or Funds belonging to the said Company, to be thereafter received by him, and shall be allowed the same in passing his Accounts with the said Company.

For rebuilding and maintaining Slade Bridge.

XXXIV. And whereas the said Road in or near to the Town of *Chatteris* aforesaid is carried over a Bridge called *Slade Bridge* over *Slade Lode*, which Bridge was originally built by and at the Expence of the Commissioners of a certain Drainage District called the *Lower District*, mentioned in an Act of Parliament passed in the Fifteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for draining and preserving certain Fen Lands, Low Grounds,*

Grounds, and Commons in the several Parishes of Ramsey, Bury, Wistow, Warboys, Somersham, Colne, *and* Pidley *with* Fenton *in the County of* Huntingdon, *and in the Parishes of* Chatteris *and* Doddington *within the* Isle of Ely *in the County of* Cambridge, the Trustees under the Acts of the Fifth and Seventh Years of the Reign of His said late Majesty King *George* the Third, hereby repealed, having contributed the Sum of Fifty Pounds towards the Expence of building the said Bridge: And whereas the said Bridge called *Slade Bridge* is now out of repair, and the Passage over the same is narrow and inconvenient; and it is expedient, as well for the Accommodation of Travellers passing along the said Road, as for preventing Impediments in the running of the Waters in the said Lode through the said Bridge, that the said Bridge should be taken down, and a new Bridge of greater Width and Dimensions erected in place thereof: And whereas the Commissioners of the said Lower District, and the Trustees acting under Authority of the Acts hereby repealed, have agreed upon the Propriety and Expediency of taking down the said present Bridge, and of erecting a new one in place thereof, and that the Expences of doing and completing the said Work, and of making the Road over the same, with proper and convenient Approaches thereto, and of the future Repairs and Maintenance of the said new Bridge, after the same shall have been completed, shall be defrayed in the following Proportions; (that is to say,) one Moiety or Half Part thereof out of the Funds of the said Commissioners, and the other Moiety or Half Part thereof out of the Tolls to be raised under this Act; be it therefore enacted, That as soon as conveniently may be after the Commencement of this Act the present Bridge over *Slade Lode* aforesaid shall be taken down and removed by some competent Workman or Workmen, to be mutually employed by the Commissioners of the said Lower District and the Trustees appointed by and under the Authority of this Act, and that a new Bridge of greater Width and Dimensions, for the Purposes above mentioned, shall be erected, under the Superintendence and Direction of the General Surveyor of the said Road and the Officer of the said Lower District, or other Person to be appointed by the said Commissioners, over the said Lode, at or immediately adjoining the Site of the said present Bridge; and that all Expences attending the taking down and removing of the said present Bridge, and of erecting, perfecting, and completing the said new Bridge in a good and substantial Manner, with proper Foundations, Abutments, Wings, Side Walls, and Parapets, as well as providing for and making a temporary Bridge for the Use of the Public during the Time the said Works shall be in progress, and of forming and making the Road over the said new Bridge, with proper and convenient Approaches to the same, shall be satisfied, defrayed, and paid in the Proportions following; (that is to say,) one Moiety or Half Part thereof by and out of the Funds of the Commissioners of the said Lower District, and the other Moiety or Half Part thereof by and out of the Tolls to be raised under the Authority of this Act; and that the future Maintenance, Support, and Repairs of the said new Bridge, after the same shall have been erected and completed as aforesaid, shall at all Times during the Continuance of this Act be satisfied, defrayed, and paid in the Proportions above mentioned,

and in no other Manner, nor by any other Person or Persons whomsoever.

Trustees not to repair or alter Wisbech Bridge.

XXXV. And be it further enacted, That nothing in this Act contained shall extend to empower the said Trustees, or any Person or Persons employed by or under them, at any Time to widen, enlarge, or otherwise alter the Bridge over the River in the Town of *Wisbech Saint Peter's*, or to charge the said Trustees with the Expences of widening, enlarging, or otherwise altering, or of repairing or rebuilding the same.

Trustees may make use of public Drains.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Trustees, their Surveyors, Officers, or Servants, to make use of any public Drain leading to or near the said Roads, or of any Ditch lying contiguous to the said Roads, for the Conveyance in Boats of any Materials to be used in repairing the said Roads, and to hale, with Men, or Horses or other Beasts, on the Bank or Banks of such Drains or Ditches.

Respecting the Repairs of Waldersey Bank.

XXXVII. And whereas by an Agreement bearing Date the Twenty-second Day of *October* One thousand seven hundred and fifty, and made between the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, and the Land Owners of *Waldersey*, it was mutually agreed that a certain Piece of Bank extending from a certain Place formerly called or known by the Name of *Baldwyn's* and since *Hamlyn's Gull*, unto a House or Site of a House formerly called *Tower House*, being the Bank or Part of the Bank of *Waldersey*, containing by Estimation about Two Miles, should for ever thereafter at all Times be kept, supported, and maintained at the joint Expence of the said Governor, Bailiffs, and Commonalty, and the said Land Owners of *Waldersey*: And whereas in pursuance of the said Agreement the said Bank was, from the Time of the Date and Execution of the said Agreement until the passing of the said recited Act in the Fifth Year of the Reign of His said late Majesty King *George* the Third, supported at the joint Expence of the said Governor, Bailiffs, and Commonalty, and the said Land Owners of *Waldersey*: And whereas by the Provisions contained in the said recited Act of the Fifth Year of the Reign of His late Majesty the said Governor, Bailiffs, and Commonalty, and the said Land Owners of *Waldersey*, were, during the Continuance of the same Act, entirely exonerated from the Charge and Burden of supporting the said Bank: And whereas Part of the said Roads directed by the said recited Acts and by this Act to be repaired passes directly over the said Piece of Bank from one End thereof to the other: And whereas by the said recited Act passed in the Seventh Year of the Reign of His said late Majesty it was enacted, that the said Governor, Bailiffs, and Commonalty should, from and after the Twenty-fifth Day of *March* in the Year One thousand seven hundred and sixty-seven, and during the Continuance of that Act, pay unto the Trustees for putting in execution the said recited Act of the Fifth Year of His said late Majesty's Reign, the yearly Sum of Twenty Pounds on the Days and Times in the Year in the said now-reciting Act in that

Behalf mentioned, and that the Owners for the Time being of such certain Lands in *Waldersey* as had contributed to the Repairs of the said Bank should in like Manner annually pay the Sum of Twenty Pounds; which respective Sums of Money should by the said Trustees be applied towards the Support and Maintenance of the said Bank, and to no other Purpose whatsoever: And whereas the said Two several annual Sums of Twenty Pounds each were, from the Time of the passing of the said recited Act in the Seventh Year of the Reign of His said late Majesty, and until the passing of the said recited Act in the Forty-seventh Year of the Reign of His said late Majesty, yearly paid to the said Trustees by the said Governor, Bailiffs, and Commonalty, and by the said Land Owners in *Waldersey* respectively: And whereas by the Provisions of the said recited Act passed in the Forty-seventh Year of the Reign of His said late Majesty the said Two several yearly Sums of Twenty Pounds each were increased to the yearly Sums of Thirty Pounds each, and the said several yearly Sums of Thirty Pounds each have been since annually paid by the said Governor, Bailiffs, and Commonalty, and the said Land Owners of *Waldersey*, to the said Trustees, and all the same several yearly Sums of Twenty Pounds and Thirty Pounds each (together with divers other Sums of Money to a considerable Amount out of the Funds of the said Trustees) have been wholly expended in and towards the Support and Maintenance of the said Bank, and to no other Purpose: And whereas by reason of the great and heavy Expences constantly attendant upon the Support and Maintenance of the said Bank, it is expedient that the said Two several yearly Payments of Thirty Pounds each should continue to be paid by the said Governor, Bailiffs, and Commonalty, and by the said Land Owners of *Waldersey* respectively, to the Trustees for executing this Act; be it therefore enacted, That the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, and the Owners for the Time being of the Lands in *Waldersey*, shall severally, during the Continuance of this Act, raise and pay the respective Sums of Money following; *videlicet*, the said Governor, Bailiffs, and Commonalty shall pay or cause to be paid unto the said Trustees for executing this Act, or to their Treasurer for the Time being, the yearly Sum of Thirty Pounds, which Sum shall be paid half yearly on the Feast Days of *Saint Michael* the Archangel and the Annunciation of the Blessed Virgin *Mary*, by equal Portions in every Year, the first Payment thereof to begin and be made upon the Feast Day of *Saint Michael* the Archangel now next ensuing; and that the Owners for the Time being of the Lands in *Waldersey* shall in like Manner pay or cause to be paid unto the said Trustees for executing this Act, or to their Treasurer for the Time being, the yearly Sum of Thirty Pounds; which respective Sums of Money shall by the said Trustees for executing this Act be applied towards the Support and Maintenance of the said Bank from *Hamlyn's Gull* to *Tower House* aforesaid, and to no other Purpose whatsoever; and in case the said yearly Sum of Thirty Pounds hereby directed to be paid by the said Governor, Bailiffs, and Commonalty, or any Part thereof, shall be behind and unpaid for the Space of Fourteen Days next after either of the said Days hereby appointed for Payment thereof, it shall be lawful for the said Trustees for executing this Act, in the Name or Names

The Bedford Level Corporation to contribute 30*l.* annually,

and the Owners of Lands in Waldersey the like Sum of 30*l.* annually, towards the Support of Waldersey Bank.

Names of any one or more of them, or in the Name of their Treasurer for the Time being, to recover the Arrears so due in an Action on the Case against the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, in any of His Majesty's Courts of Law, or in the Court of Pleas for the *Isle of Ely*; and in case the said yearly Sum of Thirty Pounds hereby directed to be paid by the Owners of the said Lands in *Waldersey*, or any Part of such last-mentioned Sum, shall be behind and unpaid during the Time aforesaid, the same shall and may in like Manner be recovered of the Dikereeve or Dikereeves of *Waldersey* for the Time being, which said Dikereeve or Dikereeves the said Owners are hereby authorized and required to appoint annually for the Purposes of collecting and paying the said last-mentioned Sum of Thirty Pounds.

Waldersey Bank to be maintained of the Dimensions herein described at the Expence of the Trustees.

XXXVIII. And whereas the Support and Maintenance of the said Bank is at all Times of the utmost Consequence, not only for the Preservation of the Lands in *Waldersey* from Inundations and Overflowings, but also of a great Part of the Lands lying in the Great Level of the Fens, which must on every Breach or Failure of the said Bank be greatly overflowed and annoyed with Water, to the Loss of many Thousand Acres of rich and valuable Lands; be it therefore further enacted, That from and after the Commencement of this Act, and during the Continuance thereof, the said Piece of Bank from the said Place formerly called or known by the Name of *Baldwyn's* and since *Hamlyn's Gull*, unto the House or Site of the House formerly called *Tower House*, shall be constantly supported and maintained at the Charge and Expence of the Trustees for executing this Act out of the Tolls to be collected by virtue of this Act, (the said Trustees receiving annually from the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said Great Level called *Bedford Level* the Sum of Thirty Pounds, and from the said Land Owners of *Waldersey* the like Sum of Thirty Pounds, towards the Support and Maintenance thereof, as hereinbefore provided,) so that the Seat or Foundation of the said Bank within the Limits aforesaid be never less than of the Breadth of Fifty-one Feet, the Height of the said Bank never less than Seventeen Feet, and the Top of the said Bank never less than of the Breadth of Fifteen Feet; and in case it shall at any Time happen that the Seat or Foundation of the said Bank be less than of the Breadth of Fifty-one Feet, or the Height of the said Bank be less than Seventeen Feet, or the Breadth of the said Bank on the Top thereof be less than Fifteen Feet, then, on Notice thereof to be given in Writing to the Clerk of the said Trustees, either under the Hand of the Officer for the Time being of the *Bedford Level* Corporation in whose District the said Piece of Bank is or shall be situate, or under the Hands or Hand of the Dikereeves or Dikereeve for the Time being of *Waldersey*, to be left with the Collector of the Tolls at the Gate nearest to which the said Piece of Bank is or shall be situate, and in case there are or shall be Two Toll Gates at equal Distances from the said Piece of Bank, then with either of the Collectors of the Tolls at either of the said Gates, the Trustees shall give immediate Orders to amend and make up the same according to the Dimensions

Dimensions aforesaid; and on Failure thereof for the Space of Ten Days, then it shall be lawful for the Officer of the *Bedford Level* Corporation for the Time being within whose District the said Piece of Bank is or shall be situate, or the Dikereeves or Dikereeve for the Time being of *Waldersey*, to set about the Repair of the said Bank, and to make the same equal to the Dimensions aforesaid; and so soon as the same shall be repaired, it shall be lawful for the said Governor, Bailiffs, and Conservators, or any Five or more of them, whereof the said Governor or Bailiffs or any of them to be Two, in case the same shall have been repaired by the Direction of their Officer, to order their Receiver General for the Time being to draw on the Collector of the Tolls at the Gate where the said Notice was left for the Money laid out and expended in the Repair thereof; or in case the same shall have been repaired by the Direction of the Dikereeves or Dikereeve of *Waldersey*, then for the said Dikereeves or Dikereeve to draw on the Collector of the Tolls at the Gate where the said Notice was left for the Money expended in the Repair thereof; which Collector shall, out of the first Monies that shall come to his Hands by the said Tolls after either of the said Drafts shall be to him so presented, pay and satisfy the same, which Drafts so paid shall afterwards be allowed in his Account as fully as if the same had been by him paid by Order of the said Trustees, the said Tolls always to be liable and applicable to the Payment of the said Drafts, prior to any other Charge on the same.

Power to the Corporation of Bedford Level and Waldersey Land Owners to repair Waldersey Bank at the Costs of the Trustees.

XXXIX. And whereas Breaches have frequently happened in the said Bank for want of immediate Attention to the Rise of Land Floods, and timely Assistance to preserve and support the said Bank, to the drowning of many Thousand Acres of Land: And whereas in case of such Accidents there may not be Time to give Notice to the said Trustees of the said Danger, so as to enable them to defend the said Bank against the same; be it therefore further enacted, That so often as the said Bank or any Part thereof is so annoyed and endangered by Land Floods, if the Surveyors, Agents, or Servants of the said Trustees do not, at the Time of such Danger, appear on the Place or Places in the said Bank so annoyed or endangered by the said Land Floods, to defend the same against any Breach or Slip which may happen in the said Bank from the said Floods, then it shall be lawful, either for the Officer for the Time being of the said *Bedford Level* Corporation in whose District the said Piece of Bank is or shall be situate, or for the Dikereeves or Dikereeve for the Time being of *Waldersey*, whichsoever of them shall be first on the Place where the Danger is, instantly to set about endeavouring to save and secure the said Bank from such Breach or Slip, and if the same cannot be prevented, but a Breach or Gull shall happen in the said Bank, then to set about, with such Assistance as he or they shall think proper, stopping or taking the said Breach or Gull; and the said Governor, Bailiffs, and Conservators, or any Five or more of them, whereof the said Governor or Bailiffs to be Two, in case the same shall have been endeavoured to have been saved and protected by their Officer, or a Breach or Gull happening the same shall have been by him taken or stopped, shall or may order their Receiver General for the Time being to draw on the Collector of the Tolls at

the Gate nearest to which the said Bank shall lay, and in case there are Two Gates at equal Distances from the said Bank, then on the Collector of either of the said Gates, for the Money laid out and expended in so endeavouring to save and secure the same, or in taking or stopping such Breach or Gull; or in case the said Piece of Bank shall have been endeavoured to be saved and secured by the said Dikereeves or Dikereeve of *Waldersey*, or the said Breach or Gull shall have been taken or stopped by them or him, then the said Dikereeves or Dikereeve shall draw on the Collector of the Tolls at the Gate nearest to which the said Bank shall lay, and in case there are Two Gates at equal Distances from the said Bank, then on the Collector of either of the said Gates, for the Money expended in so endeavouring to save and secure the same, or in taking or stopping the said Breach or Gull; which Collector shall, out of the first Monies that shall come to his Hands by the said Tolls after either of the said Drafts so drawn either by the Receiver General to the said Governor, Bailiffs, and Conservators, or by the Dikereeves or Dikereeve of *Waldersey*, shall be to him so presented, pay and satisfy the same, which Draft or Drafts so paid shall afterwards be allowed in his Account, as fully as if the same had been by him paid by Order of the said Trustees, the said Tolls always to be liable and applicable to the Payment of the said Drafts prior to any other Charge on the same.

For maintaining the South Side Bank.

XL. And whereas other Part of the said Roads intended to be repaired by virtue of this Act passes over the South Bank of *Wisbech* River, commonly called the *South Side Bank*, and extends from *Wisbech Bridge* to the said Place formerly called *Baldwyn's* and since *Hamlyn's Gull*, which Bank is within the Jurisdiction of the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, and the same hath, since the passing of the said recited Act in the Fifth Year of the Reign of His said late Majesty, under the Provisions of that and the said other Acts hereby repealed, been supported, maintained, and amended at the Costs and Charge of the Trustees appointed under the same Acts, out of the Tolls collected by virtue thereof (the said Trustees having received certain annual Payments from the said Commissioners of Sewers towards the Support and Maintenance of the said Bank): And whereas it hath been agreed that the said South Side Bank shall be supported and maintained at the Costs and Charge of the Trustees for executing this Act, on Payment to them by the said Commissioners of Sewers of the yearly Sum of Thirty Pounds, as herein-after provided; be it therefore enacted, That from and after the Commencement of this Act, and during the Continuance thereof, the said South Side Bank shall from Time to Time be supported, maintained, and amended by the Trustees for executing this Act out of the Tolls to be collected and received by virtue of this Act, and that towards the Support and Maintenance thereof, the Commissioners of Sewers for the Time being for the Hundred of *Wisbech* and Parts adjacent shall, and they are hereby authorized, directed, and required, yearly and every Year, to raise upon the Lands formerly charged with or liable to the Repairs of the said Bank, that is to say, on all the Lands on *Wisbech* South Side and *Elm* West Side as far as *Gold Bank* or *Crooked Bank*, by an

equal Rate or Acre Shot, the Sum of Thirty Pounds, and to appoint One or more Dikereeve or Dikereeves to collect and pay the same annually upon the Twenty-fifth Day of *March* to the Trustees for executing this Act, or to their Treasurer for the Time being, which said Monies shall be applied from Time to Time in supporting the said Bank called the *South Side Bank*, and to and for no other Purpose whatsoever; and in case the said Sum of Thirty Pounds, or any Part thereof, shall at any Time be behind and unpaid for the Space of Fourteen Days next after the Day hereby appointed for the Payment thereof, then it shall be lawful for the Trustees for executing this Act, in the Name or Names of any One or more of them, or in the Name of their Treasurer, to recover the same in an Action on the Case against the Dikereeve or Dikereeves for the Time being, to be appointed as last aforesaid, in any of His Majesty's Courts of Law, or in the Court of Pleas for the *Isle of Ely*.

Commissioners of Sewers to repair the South Side Bank if Trustees neglect so to do after Notice given.

XLI. Provided always, and be it further enacted, That so often as the said last-mentioned Bank shall be out of repair, then, upon Notice thereof to be given in Writing to the Clerk of the said Trustees under the Hands of any Two of the Commissioners of Sewers for the said Hundred and Parts adjacent, or to be left at the Dwelling House or Place of Abode of the said Clerk, the said Trustees shall give immediate Orders for the amending and repairing of the same, and in default of such Orders for the Space of Ten Days, then it shall be lawful for the said Commissioners of Sewers, or any of their Officers under their Orders or Direction, to repair the same in such Manner as they shall think proper, and they the said Commissioners or any Two of them shall and may, as soon as the said Bank shall be so repaired, draw upon the Treasurer of the said Trustees for the Money laid out and expended in the repairing thereof, and the said Treasurer shall pay such Draft out of the first Money that shall come to his Hands, and the said Payment shall be allowed him in his Account with the said Trustees, the said Money and Tolls in the Hands of the said Treasurer, or to be received by him, always to be liable and applicable to the Payment of the said Drafts prior to any other Charge upon the same.

Commissioners of Sewers may stop Breaches, &c.

XLII. And be it further enacted, That when and so often as the said Bank between *Wisbech Bridge* and *Hamlyn's Gull*, or any Part thereof, shall be in danger of being broken down or otherwise damaged by the fresh Water Floods, or by the Tides running up or down the River, and the Surveyors, Agents, or Servants of the said Trustees shall not appear in order to secure the said Bank from any Breach or Slip, or appearing shall not endeavour to secure the same, then the said Commissioners of Sewers, or any Person or Persons acting under them, shall and may secure the said Bank, if it can be done, from such Breach or Slip, but if such Breach or Slip cannot be prevented, then they the said Commissioners, or any Person or Persons acting under them, shall and may take or stop such Breach or Slip, and they the said Commissioners or any Two of them shall and may draw upon the Treasurer of the said Trustees for the Money laid out and expended by them in and about the said Breach or Slip, and the said Treasurer shall pay such Draft out of the first Money

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that shall come to his Hands, and the said Payment shall be allowed him in his Account with the said Trustees, the said Money and Tolls in the Hands of the said Treasurer, or to be received by him, always to be liable and applicable to the Payment of the said Drafts prior to any other Charge on the same.

For paying off the Sum of 200*l.* yearly as a Composition for certain Securities on the Tolls.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required, to pay yearly, out of the Monies and Tolls collected and received by virtue of this Act, such Sum and Sums of Money as shall or may be agreed to be accepted by any Person or Persons, being a Creditor or Creditors on the said Tolls, as a Composition or Compositions on and in satisfaction of his, her, or their Security or Securities to the Amount of Two hundred Pounds, according to the Stipulation after mentioned; (that is to say,) the said Trustees shall, Twenty-one Days at least before the General Meeting in each Year, cause public Notice to be given in some one or more Newspaper or Newspapers circulated in the Counties of *Cambridge*, *Norfolk*, and *Lincoln*, that a Composition or Compositions will be paid for Four Shares of Fifty Pounds each, to such Creditor or Creditors on the said Tolls as shall be willing to accept the smallest Composition for his, her, or their Share or Shares, and requiring such Creditors to transmit Proposals in Writing, sealed up, to the Trustees at the said Meeting, specifying therein the lowest Rate *per Centum* which such Creditor or Creditors will accept and take for each and every Share of Fifty Pounds, not exceeding Four, which he, she, or they may have due and owing on the said Tolls, (which said Proposals shall, as soon after the Hour of Two of the Clock in the Afternoon of the Day of the said Meeting as convenient, be publicly opened by the Clerk to the Trustees at the said Meeting,) and the Creditor or Creditors whose Proposal or Proposals shall specify the lowest Rate *per Centum* which he, she, or they will accept and take, for all or any of the said Shares of Fifty Pounds intended to be paid off, shall have the Preference, and be paid such Sum or Sums of Money as he, she, or they may be willing to accept for the same, by the Treasurer to the said Trustees, at the Expiration of One Calendar Month next after such Meeting, with all Interest then due for the same; and if Two or more of the said Creditors shall deliver in Proposals at the same Meeting, for accepting a Composition for any such Share or Shares at an equal Rate *per Centum*, then and in such Case it shall be forthwith determined by Lot, to be fairly drawn by the Clerk to the said Trustees, to which of the said Creditors Preference shall be given in Payment of such Composition or Compositions, and the Creditor or Creditors having the casting Lot shall be paid his, her, or their Composition or Compositions at the Time and in Manner herein-before mentioned; but if there shall not be any Proposals delivered in at the said Annual Meetings, or any of them, by any of the Creditors, for accepting any such Composition or Compositions as aforesaid, for his, her, or their Share or Shares, to the Amount of Two hundred Pounds, or any Part of that Sum, at a less Rate than the full Amount of the Principal Monies due to him, her, or them on the said Tolls, then and in such Case, but not otherwise, the said Trustees shall and may, and they are hereby required, in each and every Year in which such Proposal or Proposals shall not be delivered

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in as aforesaid, to set apart, by and out of the said Monies and Tolls, the full Sum of Two hundred Pounds, or such Part of the same Sum as shall be requisite, to be applied for and towards Payment of the Principal Monies then due and owing on the said Tolls; and the said Trustees shall then cause the Numbers of the respective Securities, with the several Sums for which they are given, to be separately set down in Writing, and put together into a Box or Wheel, and out of such Box or Wheel immediately afterwards cause to be drawn the Numbers of so many of the said Securities as shall be equal in Value or Amount to the Sum so set apart and intended to be paid off; and in One Calendar Month next after such Numbers shall be respectively drawn, the Treasurer to the said Trustees shall pay to the Person or Persons who shall be entitled to the respective Securities the Numbers of which shall be drawn as aforesaid, or to the Trustee or Trustees, Guardian or Guardians of such of the Persons so entitled as shall be under Age, such Sum or Sums of Money as shall be due by virtue thereof, which they are hereby required to accept and take accordingly in discharge of such Securities, or of such Part of the same as shall be thereby satisfied and paid.

Empowering Trustees to purchase and take down certain Buildings on Wisbech South Side Bank, for widening the Road.

XLIV. And whereas certain Parts of the said Road extending along the Bank called *Wisbech South Side Bank* are narrow and inconvenient for the Passage of Carriages, and in order to make such Parts thereof of a proper Width, and commodious for the Public, it is expedient that certain Messuages, Tenements, and Buildings standing upon and adjoining near to the said Bank, mentioned and described in the First Schedule hereto annexed, should be taken down, and the Sites thereof, and certain Land occupied therewith or adjoining thereto, in the said First Schedule also mentioned and described, should be laid into the said Road; be it therefore further enacted, That the said Trustees shall have full Power and Authority to purchase, pull down, remove, take, and make use of the Messuages and Buildings, Tenements, Land, and Hereditaments described in the said First Schedule, for the Purpose of opening and widening the said Road; and that the said Trustees may make or cause to be made the said Improvement in such Direction, and of such Dimensions, not exceeding Forty Feet in Width, and in such Manner, as to them shall appear most proper and convenient.

For railing Wisbech South Side Bank.

XLV. And be it further enacted, That the said Trustees shall and they are hereby empowered and directed to set down and maintain a good and substantial Post and Rail Fence, to be at least Four Feet in Height, on the Side of the said *Wisbech* South Side Bank immediately adjoining the *Wisbech* River, in all Places between the Bridge in the Town of *Wisbech Saint Peter's* and the House belonging to the Heirs or Devisees of the late Dame *Mary Eyre*, in the Occupation of *Scoular*, where the said Bank is or shall not be increased to the Width of Thirty-five Feet within Five Years from the passing of this Act.

For taking down Houses, &c. in the

XLVI. And whereas other Part of the said Roads in the Town of *Wisbech Saint Peter's* aforesaid, in or near a certain Place or Street therein,

Old Market in Wisbech St. Peter's.

therein, called the *Old Market*, is narrow and inconvenient for Carriages, and in order to make the same of a proper Width, and commodious for the Public, it is expedient that certain Messuages or Tenements and Hereditaments standing and being next the same Road, and mentioned and described in the Second Schedule to this Act annexed, or the Fronts of the same Messuages or Tenements and Hereditaments, should be taken down and laid into the said Road; be it therefore enacted, That the said Trustees shall have full Power and Authority to purchase, pull down, remove, take, and make use of the Messuages or Tenements and Hereditaments described in the said Second Schedule, or so much of the same Messuages or Tenements and Hereditaments as the said Trustees shall think proper, for the Purpose of opening and widening the said Road, and to make or cause to be made the said last-mentioned Improvement in such Direction, and of such Dimensions, not exceeding Forty Feet in Width, and in such Manner, as to them shall appear most proper and convenient: Provided always, that when and so soon as the said Messuages or Tenements, or the Fronts thereof, shall have been taken down, and the Road widened as last aforesaid, the said Trustees shall from thenceforth be discharged from any further Repair of the said Road.

Misnomers not to prevent the Execution of the Act.

XLVII. Provided always, and be it further enacted, That if any of the Premises mentioned and described in the Schedules hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners thereof, shall happen to be misnamed or inaccurately described, in case it shall appear to any Two or more Justices of the Peace for the said *Isle of Ely*, and be certified by Writing under their Hands, that such Misnomer or inaccurate Description proceeded from Inadvertence or Mistake, such Misnomer or inaccurate Description shall not prevent or retard the Trustees in the Execution of this Act, but the same Premises, and every Part thereof, shall and may be used, sold, conveyed, disposed of and applied to and for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same or any Part thereof were more particularly described or named, any thing herein contained to the contrary notwithstanding.

Power of purchasing limited to Five Years.

XLVIII. Provided also, and be it further enacted, That if the said Trustees shall not purchase the Messuages or Tenements and Hereditaments specified in the said Schedules within Five Years from the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owner or Owners, Proprietor or Proprietors thereof for the Time being.

Persons or Estates liable to repair the Roads to continue so.

XLIX. And be it further enacted, That if any County, Hundred, Parish, Hamlet, or Place, or any particular Person or Persons, Bodies Politic or Corporate, or any Lands, Tenements, or Hereditaments, or any Rents or Profits issuing out of any Lands, Tenements, or Hereditaments, now is or are or hereafter shall be liable and chargeable towards repairing the said Roads or any Part thereof, or any Bridges,

Causeways, Arches, Streets, Lanes, or Ways in, upon, or through which the said Roads or any Part or Parts thereof shall lead, the Inhabitants of every such County, Hundred, Parish, Hamlet, and Place, and particular Person and Persons, Bodies Politic and Corporate, and the Owners and Proprietors of such Lands, Tenements, and Hereditaments, shall still remain chargeable and liable to and shall repair such Roads, Bridges, Causeways, Arches, Streets, Lanes, and Ways, in such Manner as they ought to have done in case this Act had not been passed; provided that nothing herein contained shall extend to charge the Inhabitants of the Hamlet of *March* aforesaid with the Repairs of the Bridge over the River *Nene* in the said Hamlet during the Continuance of this Act.

Rights of the Corporation of Bedford Level reserved.

L. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, affect, or prejudice any of the Rights, Powers, and Authorities vested in the aforesaid Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or in the said Governor, Bailiffs, and Conservators, by virtue of an Act made in the Fifteenth Year of the Reign of King *Charles* the Second, intituled *An Act for settling the Draining of the Great Level of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatsoever, but that all Rights, Powers, and Authorities whatsoever, which are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be in them and every of them, as fully and amply to all Intents and Purposes as if this Act had never been made.

Reservation of Rights of the Commissioners of the River Nene.

LI. Provided always, and be it enacted, That nothing herein contained shall extend to give to the said Trustees, or their Surveyors, Officers, or Servants, a Power to convey Materials for the making or repairing of the said Road, or any Part thereof, upon or over the River *Nene*, without paying the usual Toll for the same; nor shall any thing herein contained extend to take from the Commissioners of the said River their Right to scour and cleanse the said River whenever necessary, and to throw the Earth, Mud, and Sullage arising therefrom upon the Banks thereof, (provided that all such Earth, Mud, or Sullage as may happen to be thrown or cast upon any Part of the said Roads by the said Commissioners, or by their Officers, Servants, or Workmen, shall be immediately afterwards removed and taken therefrom by and at the Expence of the said Commissioners); nor shall any thing in this Act contained extend or be construed to extend to take away or diminish any other Right or Power vested in the said Commissioners by an Act, intituled *An Act for improving and preserving the Navigation from* Salter's Load Sluice *in the County of* Norfolk *to* Standground Sluice *in the County of* Huntingdon, *and from* Flood's Ferry *in the* Isle of Ely *in the County of* Cambridge, *to* Ramsey High Load *in the said County of* Huntingdon, *and also the Navigation from* Old Bedford Sluice *in the said County of* Norfolk *to the River* Nene *in the Parish of* Ramsay *in the said County of* Huntingdon.

LII. Pro-

Rights of Commissioners of Sewers reserved.

LII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, or Authorities of the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, to set down any Sluice or Tunnel for the draining of any Lands within their Jurisdiction, in any Bank or Road to be made by the said Trustees, the said Commissioners making up, at their own Expence, all such Breaches as shall be thereby made in the said Bank or Road, and leaving such Bank or Road in as strong and good Condition in all respects as the same was before their setting down such Sluice or Tunnel; nor shall any thing in this Act contained prejudice, lessen, or any way defeat, or be construed to prejudice, lessen, or any way defeat, any of the Rights, Powers, and Authorities vested in the said Commissioners of Sewers for the Purposes of draining; provided that whenever the said Commissioners of Sewers, in the Exercise of such Rights, Powers, and Authorities, or any Person or Persons acting under them, shall do any Damage to the said Roads intended to be hereby maintained and kept in repair, or any of them, then the said Commissioners shall repair the same at their own Costs and Charge.

Reservation of Rights of Burgesses of Wisbech.

LIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, alter, lessen, or in anywise affect any Jurisdiction, Power, Right, Privilege, or Revenue given, granted, appertaining, or belonging, by Charter, Usage, Act of Parliament, or otherwise, to the Burgesses of the Town of *Wisbech*, or to their Capital Burgesses, but the same Jurisdiction, Power, Right, Privilege, and Revenue shall remain, continue, and be in full Force and Effect to all Intents and Purposes whatsoever, as if this Act or any thing herein contained had not been made or passed.

Public Act.

LIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

LV. And be it further enacted, That this Act shall commence on the First Day of *August* next after the passing thereof, and shall continue and be in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The

The First SCHEDULE to which this Act refers.

No.	Where situate.	Owners.	Occupiers.	Description of Property.
1	Wisbech Saint Peter's -	The Heirs or Devisees of Dame Mary Eyre, Widow, deceased.	Ambrose Johnson and others	Stable, Coach-house, or Outbuildings next a Granary or Dwelling House, and Yard and Land adjoining and near thereto, lately used as a Bonding Yard for Timber.
2	Ditto - -	Ditto - -	Mary Beck -	Messuage, Barn, Outbuildings, and Farm Yard.
3	Ditto - -	John Johnson and Mary his Wife, or one of them.	John Allen -	Stable or Hovel, and Land adjoining.
4	Ditto - -	The Trustees of Elizabeth Wright's Charity.	Henry James Nicolls -	Barn, Hovel, and Farm Yard.
5	Ditto - -	The Heirs or Devisees of the said Dame Mary Eyre, Widow.	Ditto -	Messuage or Farm House, Barn, Buildings, and Yard adjoining.
6	Ditto - -	—— Sorrell -	Benjamin Bush	Messuage or Farm House, Barn, Yard, and Garden adjoining.
7	Ditto -	Reverend John Edwards	John Ream -	Cottage or Tenement, Barn, Buildings, and Yard adjoining.
8	Ditto - -	Stephen Piggins.	- - -	Cottage or Tenement, Outbuildings, Yard, and Land adjoining.
9	Ditto - -	The Heirs of William Scoular, deceased.	Ephraim Tigerdine - -	Cottage or Tenement, with Outbuildings and Yard or Garden adjoining.
10	Ditto - -	George Compigne -	John Trevor -	Cottage or Tenement, Barn, Stable, and other Buildings, Yard and Garden.
11	Ditto - -	Edmund Wilkin -	John Culy -	Messuage or Farm House, Barn, Stable, and other Buildings, Yard and Garden.
12	Ditto -	Charles Jecks and William Jecks -	John Trevor -	Cottage or Tenement, with Outbuildings, Yard, and Garden.
13	Ditto - -	Edmund Wilkin -	John Eaves -	Ditto.
14	Ditto - -	David Fardell -	William Gray -	Ditto.

The Second SCHEDULE to which this Act refers.

No.	Where situate.	Owners.	Occupiers.	Description of Property.
1	Wisbech St. Peter's	Robert Ward	Messrs. Robert, George Augustus, and Henry William Ward	Yard between the Dwelling House of Henry William Ward and the Admiral Nelson Public House.
2	Ditto	William Watson	George Jennings	The Admiral Nelson [illegible] House.
3	Ditto	John Chamberlin	William Chamberlin	Messuage, Baker's Shop, and Part of Yard or Passage adjoining.
4	Ditto	The said William Watson	Ann Snarey and George Snarey	The Ship Defiance Public House, and Butcher's Shop comprised therein, or being Part thereof.

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