ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. lxxvii.

An Act to amend and render more effectual an Act passed in the Forty-first Year of His present Majesty, for draining, dividing, and inclosing a Common called *Crowland Common*, otherwise *Goggushland*, and certain Open Half-Year's Meadow, Commonable, and Waste Grounds, called the *Washes* and *Fodder Lots*, in, adjoining, or near the Township of *Crowland*, in the County of *Lincoln*.

[30th *May* 1818.]

WHEREAS an Act was passed in the Forty-first Year of the Reign of His present Majesty, intituled *An Act for draining, dividing, and inclosing a Common called* Crowland Common, *otherwise* Goggushland, *and certain Open Half-Year's Meadow, Commonable, and Waste Grounds, called the* Washes *and* Fodder Lots, *in, adjoining, or near the Township of* Crowland *in the County of* Lincoln: And whereas it was in and by the said Act recited, that there were in the Township of *Crowland* in the County of *Lincoln* a Common called *Crowland Common* or *Goggushland*, containing One thousand and Fifty Acres or thereabouts, and certain Half-Year's Meadow and Open Lands called the *Washes* and *Fodder Lots*, and divers Pieces of Waste Ground, in the said Township, containing together upwards of One thousand Acres; and that all the said Lands, by reason of the defective Drainage and low Situation thereof, were frequently inundated or otherwise annoyed by Water, but if drained, divided, allotted, and inclosed, would materially benefit the Proprietors and Persons interested therein, and be of public Utility; and it was enacted, that the said Common Waste Ground and Half-Year's Land should be 41 G. 3. c. 116.

drained, ſet out, divided, and allotted by ſuch Commiſſioners in ſuch Manner as therein mentioned; and that *George Maxwell* and *Edward Hare*, therein reſpectively named, and their Succeſſors, to be elected in the Manner in the ſaid Act mentioned, ſhould be and they were thereby appointed Commiſſioners for putting the ſame into Execution: And it was further enacted, that the ſaid Commiſſioners ſhould ſet out, ſell, and diſpoſe of ſo much and ſuch Part or Parts of the ſaid Common as ſhould be ſufficient for the Purpoſes thereinafter mentioned, by Auction, in one or more Lots, and at one and the ſame Time, or at different Times, to the beſt Bidder or Bidders, at ſome or one of the Meetings of the ſaid Commiſſioners to be held in purſuance of the ſaid Act, and ſhould apply the Money ariſing thereby for the Purpoſes in the ſaid Act mentioned; and, upon Payment of the full Purchaſe Money for ſuch Lot or Lots to the ſaid Commiſſioners, or as they ſhould by Writing under their Hands direct, the Lands ſo ſold ſhould be conveyed as Freehold of Inheritance in Fee-ſimple unto the Purchaſer or reſpective Purchaſers thereof, and a Conveyance thereof by Leaſe and Releaſe, made and executed by the ſaid Commiſſioners, ſhould be valid and effectual in Law to veſt the ſame in ſuch Purchaſer or reſpective Purchaſers, his, her, and their Heirs and Aſſigns reſpectively: And it was further enacted, that the ſaid Commiſſioners ſhould, if they ſhould think it neceſſary or expedient ſo to do, but not otherwiſe, ſet out, allot, and award unto and for the Truſtees to be appointed as thereinafter directed, and their Succeſſors for the Time being, One hundred and twenty Feet of Land in Breadth, or ſuch other Portion of the ſaid *Waſhes* and *Fodder Lots* adjoining the River *Welland*, on the North, for the Space ſuch Lands reſpectively did adjoin the ſaid River, upon the Truſts and for the Purpoſes thereinafter declared concerning the ſame; and ſhould, in the next place, ſet out, allot, and award ſuch of the Lands and Grounds intended by the ſaid Act to be divided and inclóſed, as ſhould not be ſet out for the Purpoſes before mentioned, unto and amongſt *Thomas Orby Hunter*, *Samuel Greaves*, *John Whitſed*, and *William Whitehead*, and the ſeveral other Parties and Perſons intereſted therein, in proportion and according to their ſeveral Shares, Rights, and Intereſts in, over, and upon the ſame Lands, in ſuch Manner as to the ſaid Commiſſioners ſhould ſeem juſt and expedient: And it was further enacted, that it ſhould be lawful for any Perſon or Perſons entitled to any Right or Intereſt in the ſaid Common and Waſte Grounds, at any Time before the forming and drawing up of the Award of the ſaid Commiſſioners, to ſell and diſpoſe of his, her, or their Right or Intereſt therein, or in the Allotment or Allotments to be ſet out in lieu thereof, ſeparate and apart from the Meſſuages, Houſes, Toftſteads, or Land in reſpect of which he, ſhe, or they ſhould be entitled to ſuch Right or Intereſt; and it ſhould likewiſe be lawful for any Perſon or Perſons entitled to any Right or Intereſt in the ſaid *Waſhes* and *Fodder Lots*, within the like Time, to ſell and diſpoſe of ſuch his, her, or their Right or Intereſt therein, or of the Allotments to be ſet out in lieu thereof, together with but not ſeparately from the Meſſuage, Houſe, Toftſtead, or Land in reſpect whereof he, ſhe, or they ſhould be ſo entitled as laſt aforeſaid; and on a proper Conveyance or Surrender being made and executed, every ſuch Sale being ſet forth and ſpecified in the Award of the ſaid Commiſſioners, ſhould be good, valid, and effectual in Law; and it ſhould alſo be lawful for any Cuſtomary or Copyhold Tenant of the ſaid Manor of *Crowland*, at any Time after the Execution of the ſaid Award, to ſell and diſpoſe of his or her

her Allotment or Allotments in the ſaid Common, either together or in Parcels, ſeparate from the Meſſuage, Lands, or Hereditaments in reſpect whereof the ſame was or were ſet out and awarded, upon a Fine or Fines being paid for the Part or reſpective Parts ſo ſold, apportioned to the entire or aggregate Fine ſuch Allotment or Allotments would have been ſubject or liable to if alienated with the Meſſuages, Lands, or Hereditaments to which the Right of Common appertained, in reſpect whereof the ſame was or were ſet out, allotted, and awarded: And it was further enacted, that it ſhould be lawful for the ſaid Commiſſioners to ſet out, aſſign, or allot any of the Lands or Grounds thereby directed to be divided and allotted, or any Meſſuages, Buildings, incloſed Lands, or Grounds, or other Hereditaments in the Townſhip of *Crowland* aforeſaid, in lieu of and in exchange for any other Meſſuages, Buildings, Lands or Hereditaments in the ſame Townſhip, or in any other Townſhip adjoining thereto; ſo that every ſuch Exchange ſhould be ſet forth and aſcertained by the Award of the ſaid Commiſſioners; and alſo that every ſuch Exchange ſhould be made, with the Conſent of the reſpective Proprietors or Perſons ſeiſed or entitled in Poſſeſſion of or to the Hereditaments, ſo to be exchanged, for any Life or Lives, or for Years determinable upon any Life or Lives, or for ſome Eſtate of Inheritance, or with the Conſent of the Huſbands, Guardians, Truſtees, or Attornies of any ſuch Proprietors who ſhould at the Time of making ſuch Exchange be Feme Covert, Infants, beyond the Seas, or under any other legal Diſability or Incapacity of acting for themſelves; and that all ſuch Conſents as aforeſaid ſhould be reſpectively ſigned by Writing under the Hands of the conſenting Parties, and every Exchange which ſhould be ſo made and declared ſhould, as well in reſpect of the Hereditaments within the Townſhip of *Crowland* aforeſaid as in reſpect of the Hereditaments within any other Townſhip adjoining thereto, be for ever good, valid, and effectual in Law to all Intents and Purpoſes, notwithſtanding any ſuch Diſability or Incapacity as aforeſaid, or any Want of Title in the Parties thereto, or any of them, or any Settlement, Limitation, Uſe, Truſt, or Incumbrance affecting the Hereditaments which ſhould be ſo exchanged, or any Part thereof; provided that no Exchange ſhould be made of any Copyhold Lands or Hereditaments whereby any Land in the ſaid *Fodder Lots* or *Waſhes* ſhould be held or enjoyed ſeparate and apart from the Copyhold, Meſſuage, or Tenement to which the ſame was then attached, or with which ſuch Land was then holden, without the Licence and Conſent in Writing of the ſaid *Thomas Orby Hunter*, or the Lord of the ſaid Manor of *Crowland*, firſt had and obtained for that Purpoſe: And it was further enacted and declared, that after the Election of Truſtees for the Purpoſe of continuing and preſerving the Works of Drainage as thereinafter mentioned, the ſeveral Powers and Authorities granted to the ſaid Commiſſioners ſhould ceaſe and determine: And in order that the ſeveral Banks, Drains, Engines, and Works neceſſary for draining and preſerving the Lands and Grounds intended to be divided and incloſed, might be maintained, ſupported, and kept in Repair, it was further enacted, that at any Time after the Expiration of Three Years from the Execution of the Award or Inſtrument in the ſaid Act mentioned, or at ſuch other Time as the ſaid Commiſſioners ſhould by Writing under their Hands, to be affixed on the principal Door of the Pariſh Church of *Crowland* aforeſaid, declare the Works of Drainage to be completed, and ſo at any Time after the End of every Three ſucceeding Years from the Time of every Election of Truſtees,

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as thereinafter mentioned, it ſhould be lawful for the Lord of the ſaid Manor, or for the Rector for the Time being of the ſaid Pariſh of *Crowland*, or any Five or more Proprietors of Fifty Acres of Land or Ground in the whole, intended to be drained by virtue of the ſaid Act, to cauſe public Notice to be given in manner therein mentioned, that the Proprietors of the Lands and Grounds intended to be drained as aforeſaid, or their Deputies or Agents to be appointed by Writing under their Hands, would meet at the Place, Time, and in the Manner therein mentioned, to make choice of Three proper Perſons to be Truſtees for the further putting the ſaid Act into Execution; and it ſhould be lawful for all and every the Proprietors and Owners of the Lands and Grounds intended by the ſaid Act to be drained as aforeſaid, or his, her, or their Deputy or Agent preſent at ſuch Meeting, to vote for every ſuch Truſtee; which ſaid Truſtees ſo to be elected ſhould continue to act in the Execution of the ſaid Act until the Election of others in their ſtead, as therein mentioned, and no longer; and ſuch Truſtees as ſhould be from Time to Time ſo choſen by a Majority of ſuch Votes, ſhould be and were thereby appointed Truſtees for putting in Execution the Powers and Authorities thereby given to and veſted in them; and that the reſpective Owners of any ſuch Lands, being leſs than Ten Acres, ſhould, by uniting their Properties reſpectively, until the ſame amounted to Ten Acres, be entitled to One Vote in the Choice of Truſtees, in reſpect of ſuch Property ſo united: And whereas, after the paſſing of the ſaid above recited Act, an Act was paſſed in the ſaid Forty-firſt Year of His preſent Majeſty's Reign, intituled *An Act for conſolidating in one Act certain Proviſions uſually inſerted in Acts of Incloſure, and for facilitating the Mode of proving the ſeveral Facts uſually required on the paſſing of ſuch Acts:* And whereas the ſaid *George Maxwell* and *Edward Hare*, the Commiſſioners appointed by the ſaid firſt-recited Act, having proceeded in the Execution thereof, did in their Lifetime ſell certain Parts of the ſaid Common, called *Crowland Common* or *Goggusſh-land*, for the Purpoſes of the ſaid Act, and did ſet out and allot the Reſidue thereof amongſt the ſeveral Perſons entitled thereto, and the ſame has been ſince held and enjoyed by the ſaid ſeveral Perſons in Severalty: And whereas the ſaid *George Maxwell* and *Edward Hare* have both ſome Time ſince departed this Life, and *Charles Warner* of *Eye* in the County of *Northampton*, Gentleman, and *Thomas Cuff* of *Half-Moon Street*, *Piccadilly*, in the County of *Middleſex*, Gentleman, have been duly nominated and appointed, and now are the Commiſſioners for carrying the ſaid firſt-recited Act into Execution: And whereas the Monies raiſed and received by the ſaid *George Maxwell* and *Edward Hare*, under and for the Purpoſes of the ſaid firſt-recited Act, amounted in the whole to the Sum of Seven thouſand ſeven hundred and ſeventeen Pounds One Shilling and Eight-pence, out of which it appears by the Accounts of the ſaid *George Maxwell* and *Edward Hare* that the Sum of Six thouſand five hundred and thirty-ſix Pounds Nineteen Shillings and Eight-pence was expended by them in carrying the ſaid Act into Execution, although Vouchers for all the Items of ſuch Expenditure not having been produced, the Correctneſs of ſuch Accounts cannot be aſcertained; and that the Sum of One thouſand one hundred and eighty Pounds and Two Shillings, being the alleged Balance of the ſaid Monies ſo raiſed and received, was transferred by the Bankers of the ſaid *George Maxwell* and *Edward Hare*, as ſuch Commiſſioners as aforeſaid, into the Names of the ſucceeding Commiſſioners: And whereas the ſaid *Charles Warner* and *Thomas Cuff* have by virtue of the Powers of

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the ſaid firſt-recited Act, cauſed ſundry Drains, Cuts, Banks, and other Works to be made for draining certain Parts of the ſaid Lands and Grounds, which require Drainage, and a conſiderable Sum of Money is wanted in addition to the ſaid Sum of One thouſand one hundred and eighty Pounds and Two Shillings, to enable them to defray the Coſts, Charges, and Expences, occaſioned thereby; to complete the Works neceſſary for effecting the Drainage and Incloſure of the ſame Lands and Grounds, and to carry the other Purpoſes of the ſaid firſt-recited Act into Execution: And whereas in conſequence of the Allotment and Diviſion of the Reſidue of the ſaid Common by the ſaid *George Maxwell* and *Edward Hare*, the ſaid *Charles Warner* and *Thomas Cuff* are unable to raiſe any further Money for the ſaid ſeveral Purpoſes, from a Sale of Lands in the ſaid Common: And whereas it is deſirable that the Commiſſioners acting under the Authority of the ſaid firſt-recited Act ſhould be empowered to ſell and diſpoſe of ſuch Parts of the ſaid *Waſhes* and Waſte Grounds as may be neceſſary for the Purpoſes of the ſaid firſt-recited Act and this Act; and that in caſe of any Deficiency in the Monies ſo to be raiſed, ſuch Deficiency ſhould be raiſed, levied, and paid in ſuch Manner as is herein-after mentioned; and alſo that the ſaid firſt-recited Act ſhould be altered and amended, and the Powers therein enlarged: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid *Charles Warner* and *Thomas Cuff*, the Commiſſioners now acting under and by virtue of the Powers of the ſaid firſt-recited Act, and their Succeſſors, to be nominated and appointed in purſuance of the ſame Act, ſhall be and they are hereby appointed Commiſſioners for putting as well the ſaid firſt-recited Act as this Act into Execution.

Commiſſioners acting under the Power of former Act to be Commiſſioners for executing this Act.

II. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby empowered and required to ſet out, ſell, and diſpoſe of, in the Manner by the ſaid ſecondly recited Act directed, ſo much and ſuch Part and Parts of the ſaid *Waſhes* and Waſte Grounds as ſhall be ſufficient or neceſſary for the Purpoſes herein-after mentioned, either by public Auction or private Contract, of which Auction or Auctions Fourteen Days Notice ſhall be given in ſome Newſpaper uſually circulated in the ſaid County of *Lincoln*, and the Perſon or Perſons, who ſhall then and there offer the largeſt Sum of Money for ſuch Land, or any Lot or Lots Parcel thereof, ſhall be the Purchaſer or Purchaſers thereof, he, ſhe, or they immediately paying Fifteen *per Cent.* at leaſt, on the Account of his, her, or their Purchaſe Money, as and for a Depoſit, and paying the Reſidue of ſuch Purchaſe Money within Three Calendar Months afterwards, or at ſuch other Time as the ſaid Commiſſioners ſhall appoint, into the Hands of the ſaid Commiſſioners or one of them, or of ſuch Perſon as they ſhall appoint, whoſe Receipt ſhall ſufficiently diſcharge ſuch Purchaſer or Purchaſers from any Concern in or Neceſſity of ſeeing to the Application thereof; and the ſaid Commiſſioners ſhall thereupon, at the Coſts and Charges of ſuch Purchaſer or reſpective Purchaſers, convey the ſaid laſt-mentioned Land, ſo ſold as aforeſaid, as Freehold of Inheritance in Fee-ſimple unto and to the Uſe of or in Truſt for the Purchaſer or Purchaſers thereof, and his, her, or their reſpective Heirs and Aſſigns, or otherwiſe, as

Other Parts of Waſhes and Waſte Grounds to be ſold for defraying the Expences of this Act, and effecting the ſeveral Purpoſes thereof and former Act.

such Purchaser or respective Purchasers shall direct, by Indentures of Lease and Release, to be made and executed by the said Commissioners for that Purpose.

Purchase Monies to be applied towards defraying the Expences and Purposes of the Acts.

III. And be it further enacted, That the Monies which shall arise by the Sale of the several Parts of the said *Washes* and Waste Grounds, in pursuance of the Powers and Authorities of this Act, shall be appropriated and applied by the said Commissioners, in the first place, in and towards the Payment and Discharge of the Costs, Charges, and Expences of preparing, soliciting, and obtaining this Act, and of the Interest of any Sums which may be advanced for that Purpose, and of carrying this Act and also the said recited Acts into Execution; and after Payment thereof, then for such other Purposes and in such other Manner as in and by the said first-recited Act is directed concerning the Monies to arise from the Sale of the said Common, or the Part or Parts thereof sold or to be sold under the Powers thereof, or such of them as are now subsisting and capable of taking effect; and in case the Monies which have arisen from the Sale of the said Common by the said first-recited Act directed to be sold, and the Monies which shall or may arise from the Sale of so much of the said *Washes* and Waste Grounds as shall or may be sold under the Powers of this Act, shall altogether be found insufficient for the Purposes in and by the said first-recited Act and by this Act directed and declared concerning such Monies, and for which such Monies are directed to be raised, then such Deficiency shall be supplied, borne, and paid by the several Persons and Body or Bodies Politic, Corporate, or Collegiate, to whom any Allotment or Allotments shall be made by virtue of the said first-recited Act and this Act, in, over, or upon the said *Washes* and *Fodder Lots*, for and in respect of such Allotment or Allotments respectively, except the several Purchaser or Purchasers of any Parts of the said *Washes* to whom such Parts shall have been conveyed by the said Commissioners, under the Powers of this Act, for and in respect of the same Parts thereof, and also save and except the Owners, Proprietors, or other Persons interested in Thirteen Cottages in *Crowland* aforesaid claiming Rights of Common over the said *Washes* and *Fodder Lots*, or one of them, for and in respect of any Allotment or Allotments which shall or may be made therein, or in either of them, in respect of the said Cottages; and which said several Purchaser or Purchasers, Owners and Proprietors, shall not respectively be liable to supply, bear, or pay such Deficiency, or any Part thereof, for and in respect of the said several Parts of the said *Washes* so purchased by or to be so allotted to them as aforesaid, in such Proportions, at such Time and Place, and to such Person or Persons, either on or before or after the Execution of the Award, as the said Commissioners shall by such Award, or any other Writing signed by them either before or after the Execution of the said Award, appoint; and in case any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, shall refuse or neglect to pay his, her, or their Share and Proportion of the said Deficiency to such Person or Persons authorized to receive the same at the Time and Place which shall be appointed for Payment thereof, then and in such Case the said Commissioners shall cause the same to be raised, levied, and recovered in the Manner directed by the said secondly-recited Act, passed in the Forty-first Year of His present Majesty's Reign; but in case there shall be any Surplus

Directions for defraying the Expences of the Acts in case the Purchase Monies shall not be sufficient.

plus of the Monies produced or to be produced from the ſaid ſeveral Sales already or hereafter to be effected of the ſaid Common, *Waſhes*, and Waſte Grounds, or any Part or Parts thereof, after Payment and Satisfaction of the ſeveral Purpoſes to which the ſame are by the ſaid firſt-recited Act or by this Act directed to be applied, then ſuch Surplus ſhall be paid to the Truſtees for the Time being acting in the Execution of the Truſts of this and the ſaid firſt-recited Act, to be by them applied to the ſame Purpoſes and in the ſame Manner as by the ſaid firſt-recited Act and this Act is directed of and concerning the Annual Rates and Taxes directed to be raiſed for the Purpoſes therein mentioned, or ſuch of them as ſhall be then ſubſiſting and capable of being performed.

Direction as to Surplus, if any.

IV. And be it further enacted, That, notwithſtanding the Proviſions of the ſaid firſt-recited Act, from and after the paſſing of this Act it ſhall and may be lawful for any Copyhold or Cuſtomary Tenant of the ſaid Manor of *Crowland*, or other Perſon or Perſons entitled to any Right or Intereſt in the ſaid *Waſhes* and *Fodder Lots*, or Waſte Grounds, or any Part or Parts thereof at any Time before the Execution of the Award of the ſaid Commiſſioners in the ſaid firſt-recited Act mentioned, to ſell and diſpoſe of ſuch his, her, or their Right or Intereſt therein, or of and in the Allotment or Allotments to be ſet out in lieu thereof ſeparately and apart from the Meſſuages, Houſes, Toftſteads, or Lands in reſpect whereof he, ſhe, or they ſhall be ſo entitled as laſt aforeſaid, in ſuch and the ſame Manner and Form, and as amply and fully to all Intents and Purpoſes, as the Perſon or Perſons entitled to any Intereſt in the ſaid Common are by the ſaid firſt-recited Act empowered to diſpoſe of ſuch Right and Intereſt, or the Allotment or Allotments to be ſet out in lieu thereof, before the Execution of the ſaid Award or Inſtrument or otherwiſe, ſeparate and apart from the Meſſuages, Houſes, Toftſteads, or Lands in reſpect of which he, ſhe, or they ſhall be entitled to ſuch Right and Intereſt, Allotment or Allotments: Provided nevertheleſs, that a Copy of every Contract, Conveyance, Surrender, or other Aſſurance already made or entered into, or hereafter to be made or entered into, relating to or affecting the Sale and Diſpoſition of ſuch Right and Intereſt, Allotment or Allotments, as well in the ſaid Common as alſo in the ſaid *Waſhes*, *Fodder Lots*, and Waſte Grounds, ſhall be left at the Office of the Clerk to the ſaid Commiſſioners.

Copyholders may ſell Allotments in the Waſhes, Fodder Lots, and Waſtes, ſeparate from the Houſes, &c. in reſpect of which they are made.

V. And be it further enacted, That once at leaſt in each and every Year during and until the Execution of the Award of the ſaid Commiſſioners, (ſuch Year to be computed from the Day of the paſſing of this Act) the ſaid Commiſſioners ſhall and they are hereby required to make a true and juſt Statement and Account of all Sums of Money by them received and expended, or due to them for their own Trouble or Expences, in the Execution of this Act; and ſuch Statement or Account when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before Two Juſtices of the Peace in and for the Parts of *Holland* in the County of *Lincoln*, to be by them examined and balanced, and ſuch Balance ſhall be by ſuch Juſtices ſtated in the Book of Accounts to be kept in the Office of the Clerk of the ſaid Commiſſioners; and no Charge or Item in ſuch Account ſhall be binding on the Parties concerned, or valid in Law, unleſs the ſame ſhall have been duly allowed by ſuch Juſtices.

Commiſſioners Accounts to be ſettled by Juſtices.

VI. And

Truſtees to be choſen for ſupporting the Works.

VI. And be it further enacted, That ſo much and ſuch Part and Parts of the ſaid firſt-recited Act as relate to the Appointment of Truſtees for the Purpoſes of the ſaid Act, be and the ſame is and are hereby repealed, and in lieu and inſtead thereof, be it further enacted, That at any Time after the Execution of the Award or Inſtrument to be executed as in the ſaid firſt-recited Act is mentioned, or at ſuch other Time as the ſaid Commiſſioners ſhall by Writing under their Hands, to be affixed on the principal Door of the Pariſh Church of *Crowland* aforeſaid, declare the ſaid Works of Drainage to be completed, and ſo at any Time after the End of every Three ſucceeding Years from the Time of every Election of Truſtees as herein-after mentioned, it ſhall be lawful to and for the ſaid *Thomas Orby Hunter*, or other the Lord for the Time being of the ſaid Manor of *Crowland*, by Writing under his Hand to appoint One proper Perſon to be a Truſtee to act in the Execution of the ſaid firſt-recited Act and of this Act, as herein-after mentioned; and it ſhall alſo be lawful for any Five or more Proprietors of Fifty Acres of Land or Ground in the whole intended to be drained by virtue of the ſaid firſt-recited Act, to cauſe public Notice to be given in the Pariſh Church of *Crowland* aforeſaid, on ſome *Sunday* immediately after Divine Service, or otherwiſe by Writing affixed on the principal Door of the ſaid Church immediately before Divine Service is begun, that the Proprietors of the Lands and Grounds intended to be drained as aforeſaid, or their Deputies or Agents to be appointed by Writing under their Hands, will meet at ſome Public Houſe or other convenient Place in the ſaid Pariſh of *Crowland*, the *Thurſday* Three Weeks then next after ſuch Notice, between the Hours of Ten and Twelve of the Clock in the Forenoon, then and there to make Choice of Four other proper Perſons to be Truſtees for the further putting the ſaid firſt-recited Act and this Act into Execution; and it ſhall be lawful for all and every ſuch Perſon or Perſons who ſhall be the Proprietor or Owner, Proprietors or Owners, of Ten Acres or more of the Lands and Grounds intended by the ſaid firſt-recited Act and by this Act to be drained as aforeſaid, or his, her, or their Deputy or Agent preſent at ſuch Meeting, to vote for every ſuch Truſtee, which Four Truſtees ſo to be choſen, together with the One Truſtee to be appointed by the ſaid *Thomas Orby Hunter*, or other the Lord of the ſaid Manor of *Crowland* for the Time being, ſhall continue to act in the Execution of the ſaid firſt-recited Act and this Act, until the Election of others in their ſtead, as herein-after mentioned, and no longer; and ſuch Truſtees as ſhall from Time to Time be ſo choſen by a Majority of ſuch Votes, to be certified by Writing under the Hands of the Perſons ſo chooſing them, in a Book to be kept in the Pariſh Church of *Crowland* aforeſaid; and ſuch Nomination, if any annexed or affixed in the ſaid Book, together with the One Truſtee to be nominated and appointed by the ſaid *Thomas Orby Hunter*, or other the Lord of the ſaid Manor for the Time being, ſhall be and are hereby appointed Truſtees for putting into Execution the ſaid firſt-recited Act and this Act, with ſuch and the ſame Powers and Authorities, and for ſuch and the ſame Purpoſes in all reſpects as are by the ſaid firſt-recited Act given to or veſted in or declared concerning the Truſtees thereby directed to be appointed as aforeſaid; and any Four or Three of them ſhall have full Power, in the Abſence of the other or others of them, to act in the Execution of the Truſts ſo veſted in them, as fully and effectually in all reſpects, and in ſuch and the ſame Manner and Form, as if all ſuch Truſtees were preſent; and in caſe the Truſtee for the Time being

being to be appointed by the said *Thomas Orby Hunter*, or other the Lord of the said Manor for the Time being, shall die, or become incapable, or refuse to act, or shall not (unless prevented by Sickness or other unavoidable Accident) act in the Execution of the said first-recited Act and this Act for the Space of Twelve Calendar Months, all future Vacancy or Vacancies by the Death, Incapability, or Refusal to act, or not acting of such Trustee, shall from Time to Time be filled up by the said *Thomas Orby Hunter*, or other the Lord or Lords for the Time being of the said Manor, in such and the same Manner as is herein-before directed of and concerning the Trustee so to be appointed by the said *Thomas Orby Hunter*, or other the Lord for the Time being of the said Manor; and when any of the Trustees to be appointed by the said Proprietors and Owners of the said Lands and Grounds, their Deputies or Agents as aforesaid, shall die, or become incapable, or refuse to act, or shall not act (unless prevented by Sickness or other unavoidable Accident) in the Execution of the said first-recited Act and of this Act for the Space of Twelve Calendar Months, it shall be lawful for the said Proprietors and Owners of Ten Acres of Land or more to choose a Trustee in the Stead of each such Trustee dying, or becoming incapable, or refusing to act, or not acting as aforesaid, in the same Manner as the first-appointed Trustees are herein-before directed to be by them chosen, and such Trustee so to be appointed by the Lord of the said Manor, together with such new Trustee or Trustees to be chosen by the said Owners and Proprietors as aforesaid, and so certified in such Nomination as aforesaid, if any, being annexed or affixed in such Book as aforesaid, shall have the same Powers as the Trustee or Trustees, in the Stead of whom he or they shall be so appointed or chosen, would have had by virtue of this or the said first-recited Act; and that the respective Proprietors and Owners of any such Lands, being less than Ten Acres, shall, by uniting their Properties respectively until the same amount to Ten Acres, be entitled to One Vote in the Choice of Trustees in respect of such Property so united, and that the respective Proprietors and Owners of such Lands, being more than Ten Acres, shall have and be entitled to One Vote in the Choice of such Trustees or Trustee in respect of every Ten Acres of Land of which he shall be such Proprietor or Owner.

If no new Trustees elected, old Trustees to continue to act.

VII. Provided always, and be it further enacted, That in case the said *Thomas Orby Hunter*, or the Lord or Lords of the said Manor for the Time being, and the Owners and Proprietors of the said Lands, shall, at the Expiration of Three Years from the Time of appointing and choosing such Trustee and Trustees as aforesaid, and so on at the End of every succeeding Three Years from the Time of every Election of Trustees as aforesaid, neglect or omit to appoint and elect a new Trustee or new Trustees to act in the Execution of this and the said first-recited Act, pursuant to the Directions aforesaid, then and in every or any such Case it shall be lawful for the Person and Persons who for the last Three Years immediately preceding such Neglect or Omission, shall have been the Trustee or Trustees for the Purposes aforesaid, to continue to act as a Trustee and Trustees in the Execution of this and the said first-recited Act, until such Time as a new Trustee or Trustees shall be appointed and elected to act in the Execution of this and the said recited Act, pursuant to the Provisions and Directions herein-before for that Purpose contained.

being to be appointed by the ſaid *Thomas Orby Hunter*, or other the Lord of the ſaid Manor for the Time being, ſhall die, or become incapable, or refuſe to act, or ſhall not (unleſs prevented by Sickneſs or other unavoidable Accident) act in the Execution of the ſaid firſt-recited Act and this Act for the Space of Twelve Calendar Months, all future Vacancy or Vacancies by the Death, Incapability, or Refuſal to act, or not acting of ſuch Truſtee, ſhall from Time to Time be filled up by the ſaid *Thomas Orby Hunter*, or other the Lord or Lords for the Time being of the ſaid Manor, in ſuch and the ſame Manner as is herein-before directed of and concerning the Truſtee ſo to be appointed by the ſaid *Thomas Orby Hunter*, or other the Lord for the Time being of the ſaid Manor; and when any of the Truſtees to be appointed by the ſaid Proprietors and Owners of the ſaid Lands and Grounds, their Deputies or Agents as aforeſaid, ſhall die, or become incapable, or refuſe to act, or ſhall not act (unleſs prevented by Sickneſs or other unavoidable Accident) in the Execution of the ſaid firſt-recited Act and of this Act for the Space of Twelve Calendar Months, it ſhall be lawful for the ſaid Proprietors and Owners of Ten Acres of Land or more to chooſe a Truſtee in the Stead of each ſuch Truſtee dying, or becoming incapable, or refuſing to act, or not acting as aforeſaid, in the ſame Manner as the firſt-appointed Truſtees are herein-before directed to be by them choſen, and ſuch Truſtee ſo to be appointed by the Lord of the ſaid Manor, together with ſuch new Truſtee or Truſtees to be choſen by the ſaid Owners and Proprietors as aforeſaid, and ſo certified in ſuch Nomination as aforeſaid, if any, being annexed or affixed in ſuch Book as aforeſaid, ſhall have the ſame Powers as the Truſtee or Truſtees, in the Stead of whom he or they ſhall be ſo appointed or choſen, would have had by virtue of this or the ſaid firſt-recited Act; and that the reſpective Proprietors and Owners of any ſuch Lands, being leſs than Ten Acres, ſhall, by uniting their Properties reſpectively until the ſame amount to Ten Acres, be entitled to One Vote in the Choice of Truſtees in reſpect of ſuch Property ſo united, and that the reſpective Proprietors and Owners of ſuch Lands, being more than Ten Acres, ſhall have and be entitled to One Vote in the Choice of ſuch Truſtees or Truſtee in reſpect of every Ten Acres of Land of which he ſhall be ſuch Proprietor or Owner.

If no new Truſtees elected, old Truſtees to continue to act.

VII. Provided always, and be it further enacted, That in caſe the ſaid *Thomas Orby Hunter*, or the Lord or Lords of the ſaid Manor for the Time being, and the Owners and Proprietors of the ſaid Lands, ſhall, at the Expiration of Three Years from the Time of appointing and chooſing ſuch Truſtee and Truſtees as aforeſaid, and ſo on at the End of every ſucceeding Three Years from the Time of every Election of Truſtees as aforeſaid, neglect or omit to appoint and elect a new Truſtee or new Truſtees to act in the Execution of this and the ſaid firſt-recited Act, purſuant to the Directions aforeſaid, then and in every or any ſuch Caſe it ſhall be lawful for the Perſon and Perſons who for the laſt Three Years immediately preceding ſuch Neglect or Omiſſion, ſhall have been the Truſtee or Truſtees for the Purpoſes aforeſaid, to continue to act as a Truſtee and Truſtees in the Execution of this and the ſaid firſt-recited Act, until ſuch Time as a new Truſtee or Truſtees ſhall be appointed and elected to act in the Execution of this and the ſaid recited Act, purſuant to the Proviſions and Directions herein-before for that Purpoſe contained.

Chairman to be appointed.

VIII. And be it further enacted, That at all and every such Meeting or Meetings of the said Trustees as shall take place by virtue of the Powers in the said first-recited Act and this Act contained, a Chairman shall be appointed by the Majority of the Trustees present at each such Meeting, who shall preside therein, and in all Cases of Equality of Votes when any Question then arising, such Chairman shall have the casting Vote.

Annual Tax.

IX. And be it further enacted, That so much and such Parts of the said first-recited Act as empowered the Trustees thereof to impose the Rate or Tax by the said Act authorized to be laid at their General Annual Meeting only, and to appoint such Days and Places for the Payment of the said Rate or Tax Half-yearly to the Collectors and Receivers thereof, as they the said Trustees should think proper, be, and the same is and are hereby repealed; and that in lieu and instead thereof be it further enacted, That the said Trustees shall and they are hereby authorized and required, at their said several General Annual Meetings, or at any Adjournment thereof respectively, in the Manner by the said first-recited Act mentioned, to rate, tax, and assess all and every the Owners and Occupiers of all and every the said Lands and Grounds intended to be drained by virtue of the said Act and this Act, by such an equal and proportionate Acre Rate or Tax as shall be necessary for the Purposes in the said Act and this Act mentioned; which said yearly Rates or Taxes shall be paid by the said respective Owners or Occupiers to such Person or Persons, at such Place or Places, and at such Time or Times after the Day of the Meeting at which the same shall be respectively rated, taxed, and assessed as aforesaid, and subject to such Penalties for the Non-payment thereof, not exceeding Two-pence for each Shilling unpaid, as the said Trustees shall at their said respective General Annual Meetings or Adjournment thereof order and direct: Provided that such Rate or Tax shall not in any one Year exceed the Rate or Sum of Two Shillings an Acre, without the express Consent and Approbation in Number and Value of the Owners or Proprietors interested in the said Lands at a Meeting to be convened for that Purpose, and to be ascertained in such Way as the Votes of the said Owners and Proprietors are required to be had in the Choice of Trustees as herein is directed.

Recovery of Taxes under former Act repealed.

X. And be it further enacted, That so much and such Part of the said first-recited Act as relates to the Remedies thereby prescribed for the Recovery of the Rates and Taxes thereby authorized to be laid by the Trustees therein mentioned, be and the same is hereby repealed.

Recovery of Taxes.

XI. And be it further enacted, That in case Default shall be made by any Owner or Owners, Occupier or Occupiers of the said Lands and Grounds, in Payment of the Rates or Taxes wherewith he, she, or they, or the Lands or Grounds belonging to or occupied by him, her, or them respectively shall have been rated, taxed, and assessed, by virtue of the said first-recited Act or this Act, or any Part thereof, by the Space of Twenty-one Days after the Time appointed by the said Trustees for the Payment thereof, and by the Space of Seven Days after the same shall have been demanded by the Collector or Receiver authorized by the said Trustees to collect and receive the same, by Notice in Writing of such Demand under the Hand of the said Collector or Receiver given to such respective Owners

Owners or Occupiers, or left at the uſual Place of Abode of ſuch Owners or Occupiers reſpectively; or any of them, if any ſuch Place of Abode ſhall be in *Crowland* aforeſaid; or if ſuch reſpective Owners or Occupiers, or any of them, ſhall not have any Place of Abode in *Crowland* aforeſaid, then by the Space of Seven Days after the ſame ſhall have been demanded by the like Notice affixed upon the Door of the Church of *Crowland* aforeſaid, it ſhall be lawful for the ſaid Collector or Receiver, or any other Perſon or Perſons, by virtue of any Warrant or Precept under the Hands of any Two or more of the ſaid Truſtees, (which ſaid Warrant or Precept any Two or more of the ſaid Truſtees are hereby empowered to make and give, either at a Meeting of the ſaid Truſtees, or at any other Time as they ſhall ſee Occaſion), to enter into and upon the ſaid Lands and Grounds in reſpect whereof ſuch Rates and Taxes ſhall be in arrear and unpaid, or any Part thereof, and into all or any of the Meſſuages, Cottages, Tenements, or Buildings thereupon ſtanding, and to diſtrain the Goods, Chattels, Cattle, or Effects which ſhall be there found, and to impound, keep, ſell, and diſpoſe of the ſaid Goods, Chattels, Cattle, or Effects, in the ſame Manner as by Law is required or authorized to be done in Caſes of Diſtreſs for Rent, and to apply ſo much of the Monies ariſing from the Sale and Diſpoſal of the ſaid Goods, Chattels, Cattle, or Effects, as ſhall be neceſſary in and towards Payment and Satisfaction of ſuch Rates or Taxes as ſhall be ſo in arrear and unpaid as aforeſaid, and ſuch Penalties as ſhall have been incurred for the Non-payment thereof, and alſo all the Coſts and Charges of diſtraining, impounding, keeping, ſelling, and diſpoſing of the ſaid Goods, Chattels, Cattle, or Effects, rendering the Overplus of the ſaid Monies, (if any there ſhall be), unto the Owner or Owners of ſuch Goods, Chattels, Cattle, or Effects.

Untenanted Lands to remain a Security.

XII. And be it further enacted, That in caſe any of the ſaid Lands and Grounds in reſpect whereof the ſaid Rates or Taxes herein-before authorized to be charged by the ſaid Truſtees, or any of the Penalties to be incurred for the Non-payment thereof, ſhall at any Time be in arrear and unpaid as aforeſaid, ſhall be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be made and taken thereon for ſuch Rates or Taxes or Penalties, then and in ſuch Caſe the ſaid Lands and Grounds ſhall at all Times thereafter remain a Security for the Payment of the ſaid Rates or Taxes and Penalties; and all and ſingular the Goods, Chattels, and Effects which ſhall at any Time or Times thereafter be found thereon, ſhall and may be diſtrained and impounded, kept, and ſold in the Manner herein-before directed, until all Arrears of the ſaid Rates and Taxes, and the Penalties for the Non-payment thereof, and the Charges incident to ſuch Diſtreſs or Diſtreſſes, ſhall be fully paid and ſatisfied.

Power to let Lands for Taxes in Arrear.

XIII. And be it further enacted, That in caſe any of the ſaid Lands and Grounds in reſpect whereof the ſaid Rates or Taxes herein-before authorized to be charged by the ſaid Truſtees, or any of the Penalties to be incurred for the Non-payment thereof, ſhall at any Time be in arrear as aforeſaid, ſhall remain untenanted or unoccupied for the Space of Twelve Calendar Months after the Time appointed for the Payment of ſuch Rates or Taxes, ſo that no ſufficient Diſtreſs can be made and taken on the ſaid Lands and Grounds for ſuch Rates or Taxes or Penalties, and there ſhall remain at leaſt One Year's Rate or Tax in arrear in reſpect of the ſaid Lands and Grounds, then and in every ſuch Caſe, and from Time to Time, ſo often as the

the ſame ſhall happen, it ſhall be lawful for the ſaid Truſtees, at any of their ſubſequent Meetings to be holden under the Authority of this Act, Fourteen Days Notice in Writing of ſuch Meeting and of the Purpoſes thereof being affixed on the Church Door of *Crowland* aforeſaid, and alſo inſerted in ſome Newſpaper uſually circulated in the County of *Lincoln*, to demiſe and let by public Auction the ſaid Lands and Grounds in reſpect whereof the ſaid Rates or Taxes or Penalties ſhall be ſo in arrear and unpaid as aforeſaid, unto ſuch Perſon or Perſons, and upon ſuch Terms and Conditions, as the ſaid Truſtees ſhall think proper, for the Space of One or more Year or Years, not exceeding Three Years, until the ſaid Rates or Taxes and Penalties, and alſo the accruing Rates or Taxes in reſpect of the ſame Lands and Grounds, and all the Coſts and Charges of letting the ſame, ſhall be fully paid and ſatisfied; and that the ſaid Truſtees, or their Collector or Receiver, ſhall from Time to Time receive and take the Rents, Iſſues, and Profits of the ſaid Lands and Grounds which ſhall be ſo let as aforeſaid, and ſhall apply the ſame in Payment and Satisfaction of the ſaid Rates or Taxes, Penalties, Coſts, and Charges, until the ſame and every Part thereof ſhall be fully paid and ſatisfied.

Power for Commiſſioners to purchaſe Lands.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized, to treat and agree with the Owners and Occupiers of and other Perſons intereſted in any Lands, Tenements or Hereditaments, which are or ſhall or may be neceſſary to be dug, cut, taken, or uſed for the Purpoſes of the ſaid firſt-recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or for a Compenſation to be made for ſuch Damages as may happen to be done to the ſame, and to ſettle and aſcertain in what Proportion the Sum or Sums by them agreed to be paid for any ſuch Purchaſe or Compenſation as aforeſaid ſhall be paid to or divided amongſt the ſeveral Perſons intereſted therein; and alſo that it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate or Sole, on behalf of themſelves reſpectively, and their reſpective Heirs and Succeſſors, and for all Huſbands, Guardians, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, on behalf of their reſpective Wives, Infants, Lunatics, or other Ceſtuique Truſts, and for all other Perſons whomſoever who ſhall be poſſeſſed of or intereſted in any ſuch Lands, Tenements, and Hereditaments as aforeſaid, to treat and agree with the ſaid Commiſſioners for the Sale thereof to them, and to convey the ſame in ſuch Manner as the ſaid Commiſſioners ſhall direct, or to treat and agree with the ſaid Commiſſioners for the Compenſation to be made for ſuch Damages as may happen to be done to any ſuch Lands, Tenements, or Hereditaments in the Execution of any of the Powers of this or the ſaid firſt above recited Act; and that all ſuch Sales, Conveyances, and Agreements ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, any Law, Statute, or Cuſtom to the contrary notwithſtanding; and that all Bodies Politic, Corporations, Truſtees, and other Perſons whatſoever, ſhall be and they are hereby fully indemnified for all ſuch Acts as they or any of them ſhall lawfully do or cauſe to be done by virtue or in purſuance of this Act; and that all and every the Lands, Tenements, and Hereditaments which ſhall be purchaſed by the ſaid Commiſſioners under the Powers of this Act, and all and every the Works made, executed, or erected thereon, and the Right and Property

the ſame ſhall happen, it ſhall be lawful for the ſaid Truſtees, at any of their ſubſequent Meetings to be holden under the Authority of this Act, Fourteen Days Notice in Writing of ſuch Meeting and of the Purpoſes thereof being affixed on the Church Door of *Crowland* aforeſaid, and alſo inſerted in ſome Newſpaper uſually circulated in the County of *Lincoln*, to demiſe and let by public Auction the ſaid Lands and Grounds in reſpect whereof the ſaid Rates or Taxes or Penalties ſhall be ſo in arrear and unpaid as aforeſaid, unto ſuch Perſon or Perſons, and upon ſuch Terms and Conditions, as the ſaid Truſtees ſhall think proper, for the Space of One or more Year or Years, not exceeding Three Years, until the ſaid Rates or Taxes and Penalties, and alſo the accruing Rates or Taxes in reſpect of the ſame Lands and Grounds, and all the Coſts and Charges of letting the ſame, ſhall be fully paid and ſatisfied; and that the ſaid Truſtees, or their Collector or Receiver, ſhall from Time to Time receive and take the Rents, Iſſues, and Profits of the ſaid Lands and Grounds which ſhall be ſo let as aforeſaid, and ſhall apply the ſame in Payment and Satisfaction of the ſaid Rates or Taxes, Penalties, Coſts, and Charges, until the ſame and every Part thereof ſhall be fully paid and ſatisfied.

Power for Commiſſioners to purchaſe Lands.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby authorized, to treat and agree with the Owners and Occupiers of and other Perſons intereſted in any Lands, Tenements or Hereditaments, which are or ſhall or may be neceſſary to be dug, cut, taken, or uſed for the Purpoſes of the ſaid firſt-recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or for a Compenſation to be made for ſuch Damages as may happen to be done to the ſame, and to ſettle and aſcertain in what Proportion the Sum or Sums by them agreed to be paid for any ſuch Purchaſe or Compenſation as aforeſaid ſhall be paid to or divided amongſt the ſeveral Perſons intereſted therein; and alſo that it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate or Sole, on behalf of themſelves reſpectively, and their reſpective Heirs and Succeſſors, and for all Huſbands, Guardians, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, on behalf of their reſpective Wives, Infants, Lunatics, or other Ceſtuique Truſts, and for all other Perſons whomſoever who ſhall be poſſeſſed of or intereſted in any ſuch Lands, Tenements, and Hereditaments as aforeſaid, to treat and agree with the ſaid Commiſſioners for the Sale thereof to them, and to convey the ſame in ſuch Manner as the ſaid Commiſſioners ſhall direct, or to treat and agree with the ſaid Commiſſioners for the Compenſation to be made for ſuch Damages as may happen to be done to any ſuch Lands, Tenements, or Hereditaments in the Execution of any of the Powers of this or the ſaid firſt above recited Act; and that all ſuch Sales, Conveyances, and Agreements ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, any Law, Statute, or Cuſtom to the contrary notwithſtanding; and that all Bodies Politic, Corporations, Truſtees, and other Perſons whatſoever, ſhall be and they are hereby fully indemnified for all ſuch Acts as they or any of them ſhall lawfully do or cauſe to be done by virtue or in purſuance of this Act; and that all and every the Lands, Tenements, and Hereditaments which ſhall be purchaſed by the ſaid Commiſſioners under the Powers of this Act, and all and every the Works made, executed, or erected thereon, and the Right and Property

Property in and to the ſame, ſhall be and are hereby veſted in the ſaid Commiſſioners, until the Truſtees herein directed to be choſen ſhall be appointed by virtue of this Act, and after ſuch Appointment ſhall be and are hereby veſted in the ſaid Truſtees for the Time being for the Purpoſes of this and the ſaid firſt-recited Act.

Application of Compenſation to Perſons under Diſabilities.

XV. And be it further enacted, That all ſuch reſpective Sums of Money as ſhall be agreed to be paid by the ſaid Commiſſioners for any Lands, Tenements, or Hereditaments belonging to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feme Covert, Infant, Lunatic, Idiot, or other Perſon or Perſons under any legal Diſability or Incapacity, which ſhall have been purchaſed, taken, or uſed by the ſaid Commiſſioners under the Authority of this Act, ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds or upwards, be paid with all convenient Speed into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the ſaid Commiſſioners; and that ſuch Sums of Money to the Amount aforeſaid, when ſo paid into the ſaid Bank of *England*, ſhall there remain until the ſame ſhall, by Order of the ſaid Court of Chancery, upon a Petition to be preferred to the ſaid Court in a ſummary Way, be applied in the Purchaſe of Land Tax, or the Diſcharge of any Debts or Incumbrances affecting the ſaid Lands, Tenements, or Hereditaments, which ſhall have been ſo purchaſed, taken, or uſed as aforeſaid, or any other Lands, Tenements, or Hereditaments, belonging thereto, or being under the ſame Title therewith, or until the ſame ſhall, upon a Petition to be preferred in like Manner, be laid out, by Order of the ſaid Court of Chancery, in the Purchaſe of other Lands, Tenements, or Hereditaments, to be conveyed and ſettled to, for, and upon the like Uſes, Truſts, and Purpoſes as the Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed, taken, or uſed as aforeſaid at the Time of the purchaſing, taking, or uſing the ſame, were conveyed or ſettled upon, or ſuch of them as ſhall then be exiſting and capable of taking Effect; and that in the meantime, and until any ſuch Order can be made as aforeſaid, ſuch reſpective Sums of Money may, by Order of the ſaid Court of Chancery, be laid out in ſome of the Public Funds, or in Government or Real Securities; and that the Dividends or Intereſt ariſing therefrom ſhall, by Order of the ſaid Court of Chancery, be paid to the Perſon or Perſons who for the Time being would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed, taken, uſed, conveyed, and ſettled as aforeſaid; and that in caſe ſuch reſpective Sums of Money ſhall not amount to the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then the ſame ſhall and may, with the Approbation of the ſaid Commiſſioners acting under and by virtue of this Act, be paid into the ſaid Bank of *England*, and applied by Order of the ſaid Court of Chancery, in the ſame Manner as is herein-before directed concerning Sums amounting to Two hundred Pounds and upwards, or otherwiſe ſhall and may, without any Order of the ſaid Court, be paid into the Hands of Two Truſtees, to be nominated in Writing by and under the Hand or Hands of the Perſon or Perſons who for the Time being would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments which ſhall have been ſo purchaſed, taken, uſed, conveyed, and ſettled as aforeſaid, ſuch Nomination being

being approved of by the ſaid Commiſſioners acting under or by virtue of this Act, by Writing under their Hands; and that ſuch Sums of Money as ſhall be ſo paid to ſuch Truſtees as aforeſaid, ſhall be by them applied in ſuch and the like Manner as is herein-before directed with reſpect to the Sums of Money amounting to Two hundred Pounds and upwards herein-before required to be paid into the ſaid Bank of *England*, but without any Order of the ſaid Court of Chancery, touching the Application thereof; and that in caſe ſuch reſpective Sums of Money ſhall not exceed the Sum of Twenty Pounds, then the ſame ſhall be paid to the Perſon or Perſons who for the Time being would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, which ſhall have been ſo purchaſed, taken, uſed, conveyed, and ſettled as aforeſaid, for his, her, or their own Uſe and Benefit; or in caſe of any ſuch Perſon being a Feme Covert, Infant, Lunatic, or Idiot, then to his or her Huſband, Guardian, or Committee, for the Uſe and Benefit of ſuch Perſon.

Reſpecting diſputed Titles.

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

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

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

XVIII. And

Truſtees to ſupport the North Tunnel, and ſcour out the Drains leading to and from it.

XVIII. And be it further enacted, That the ſaid Truſtees are hereby authorized and empowered not only to maintain and ſupport the North Tunnel, lying under or through the Bank of the ſaid *Thomas Orby Hunter*, in the ſaid Pariſh of *Crowland*, adjoining the ſaid *Waſhes* and *Fodder Lots*; as enacted and directed by the ſaid firſt-recited Act, but to ſcour out and keep in good and ſufficient Repair as well the Drain or other Communication leading from the Lake in the *Waſhes*, in the ſaid firſt-recited Act mentioned, to the ſaid Tunnel, as the Drain leading from the ſaid Tunnel to the High Bridge in *Crowland* aforeſaid.

Penalty on Perſons obſtructing the Truſtees in Diſcharge of their Duty.

XIX. And for the further and better preventing the breaking down or damaging any of the Works which have been or ſhall be erected or made in purſuance of the ſaid firſt-recited Act, and providing for the due Execution and Performance of the ſaid firſt-recited Act and of this Act, be it further enacted, That if any Perſon or Perſons ſhall in any Manner obſtruct, hinder, or moleſt the Truſtees appointed or to be appointed as aforeſaid, or any Surveyor, Workman, Servant, or other Perſon who ſhall be employed by or under them or any of them in the Execution of the ſaid firſt-recited Act or of this Act, or either of them, every ſuch Perſon ſo offending, and being lawfully convicted, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Fifty Pounds, at the Diſcretion of the Magiſtrates by or before whom ſuch Perſon ſhall be convicted.

Vermin to be deſtroyed.

XX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners and Truſtees, and they are hereby authorized, to contract with any Perſon for the deſtroying of all ſuch Moles and other Vermin as may from Time to Time be found in and about the Lands and Grounds by the ſaid firſt-recited Act directed to be drained and incloſed, or in and about any of the Lands or Banks adjoining or near thereto, and to pay the Wages or Salary of ſuch Perſon out of the Monies by the ſaid firſt-recited Act and this Act authorized to be raiſed and levied; and that ſuch Perſon ſhall or may lawfully enter into or upon the ſaid Lands, Grounds, and Banks, or any of them, for the Purpoſe of deſtroying the ſaid Moles or other Vermin.

Trees, Buildings, Ditches, or Ponds, not to be within certain Diſtances.

XXI. And be it further enacted, That no Trees or Holts ſhall be planted, nor any Building placed or erected, unleſs by the Order or Permiſſion of the ſaid Commiſſioners or Truſtees, within the Diſtance of Two hundred Yards from any Mill or Engine to be made, erected, or ſet up by the ſaid Commiſſioners or Truſtees under the Authority of the ſaid firſt-recited Act and this Act; and that no Pond or Watering-place ſhall be made, cut, or continued in any of the Drains made or uſed by the ſaid Commiſſioners and Truſtees for the ſaid Drainage, or within the Diſtance of Twenty Yards from the ſame, without the ſpecial Licence and Conſent of the ſaid Commiſſioners or Truſtees for the Time being; and that if any Perſon or Perſons ſhall at any Time plant any ſuch Trees or Holts, or place or erect any ſuch Building, or make, cut, or continue any ſuch Pond or Watering-place as aforeſaid, contrary to the Directions herein-before contained, and ſhall not well and effectually remove or fill up the ſame within Thirty Days next after Notice in Writing from the ſaid Commiſſioners or Truſtees, or their Clerk, to be given to ſuch Perſon or Perſons, or left at his, her, or their Place of Abode for that Purpoſe, it ſhall be lawful for the

ſaid

said Commissioners or Trustees to cause such Trees, Holts, or Buildings to be taken up or pulled down and carried away, and such Ponds or Watering-places to be filled up at the Charge and Expence of such Person or Persons, and by Warrant or Precept under the Hands of the said Commissioners or Trustees, or any Two of them, to cause such Charges and Expences to be levied upon such Person or Persons by Distress and Sale of his, her, or their Goods, Chattels, Cattle, or Effects, rendering the Overplus of the Monies which shall be thereby levied, if any there shall be, unto such Person or Persons.

Dikes to be kept open and Tunnels laid.

XXII. And be it further enacted, That the several Owners and Occupiers of the Lands and Grounds by the said first-recited Act directed to be drained and inclosed shall at all Times well and sufficiently rode, cleanse, deepen, widen, and repair the several Droveway Dikes, Outring Dikes, and Division Dikes adjoining and belonging to their said respective Lands and Grounds, and shall at all Times keep and maintain the said Dikes and every of them of a sufficient Depth, and of the Width of Nine Feet at the Top, and Four Feet and a Half at the Bottom at least; and, where there shall be any Roads or Ways over such Dikes, shall lay down and at all Times keep and maintain a clear Tunnel and Waterway of Ten Inches square, and at a sufficient Depth, under such respective Roads or Ways; and that in case any such Owner or Owners, Occupier or Occupiers, shall at any Time neglect so to rode, cleanse, deepen, widen, or repair any of the said Dikes adjoining or belonging to his or her said Lands and Grounds, or to keep and maintain the same of the Width and Depth aforesaid, or to lay down, keep, and maintain the said Tunnel and Waterway of the Dimension and Sufficiency aforesaid, for the Space of Seven Days next after Notice in Writing from the said Commissioners or Trustees, or any Two of them, or their Clerk, Collector, or other Officer, given to such Owner or Owners, Occupier or Occupiers, or left at his, her, or their Place or Places of Abode for that Purpose, every such Owner or Occupier shall for every such Neglect forfeit and pay the Sum of One Shilling for every Rod of the Dike or Dikes so neglected to be roded, cleansed, deepened, widened, or repaired as aforesaid, and the Sum of Twenty Shillings for every such Tunnel or Waterway so neglected to be laid down or maintained as aforesaid; and that it shall be lawful for the said Commissioners or Trustees for the Time being, or their Collector or other Officer, from Time to Time after such Neglect as aforesaid, to cause such Dikes to be well and sufficiently roded, cleansed, deepened, widened, and repaired, and such Tunnels or Waterways to be laid down and maintained as aforesaid, at the Charge and Expence of such respective Owners or Occupiers, and by Warrant or Precept under the Hands of the said Commissioners or Trustees, or any Two or more of them, to levy such Forfeitures, Charges, and Expences upon such respective Owners or Occupiers by Distress and Sale of their respective Goods, Chattels, Cattle, or Effects, rendering the Overplus of the Monies which shall be thereby levied, if any there shall be, to such Owners or Occupiers respectively.

Penalty for cutting Banks, or opening or

XXIII. And be it further enacted, That if any Person or Persons shall at any Time draw up, let down, open, or shut any of the Tunnels, Sluices, Doors, or Slackers to be made, erected, or used by the said Commissioners or Trustees for the Drainage and Improvement of the said Lands or

Grounds under the Authority of the ſaid firſt-recited Act and this Act, or ſhall otherwiſe make or ſtop up any Paſſage of the Waters through the ſame contrary to the Order of the ſaid Commiſſioners or Truſtees, or of the Officer or Officers appointed by or acting under them; or if any ſuch Officer or Officers ſhall at any Time wilfully draw up or let down, open or ſhut, or cauſe or ſuffer to be drawn up, let down, opened or ſhut, any of the ſaid Tunnels, Sluices, Doors, or Slackers, or otherwiſe wilfully make or ſtop up, or cauſe or ſuffer to be made or ſtopped up, any Paſſage for the Waters through the ſame, contrary to the Order of the ſaid Commiſſioners or Truſtees; every ſuch Perſon or Officer ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to be recovered with full Coſts of Suit by any Perſon who will ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*; and the Owner or Owners of any private Mill, Engine, Gigg, or Device, or the Perſon or Perſons uſing or working the ſame, ſhall alſo make full Compenſation and Satisfaction to every Perſon who ſhall be injured thereby, for the Damage which he, ſhe, or they ſhall thereby ſuſtain, which ſaid Compenſation and Satisfaction ſhall and may be alſo recovered with full Coſts of Suit in any of His Majeſty's ſaid Courts of Record at *Weſtminſter*.

ſhutting Tunnels, and for working private Mills.

XXIV. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter ſuffer any of his, her, or their Geeſe, or any Swine, or other Cattle, to ſtray upon any of the Banks, Roads, or Droveways ſituate within the Limits of the ſaid firſt-recited Act and this Act, or belonging to or uſed by the ſaid Commiſſioners or Truſtees for the Drainage and Improvement of the Lands and Grounds therein, or upon the Allotment to be ſet out for the Uſe of the Truſtees as herein-before mentioned, or ſhall fodder, or ſuffer to be foddered any of his, her, or their Cattle on the ſaid Allotment, or on any of the ſaid Banks, Roads, or Droveways, contrary to the Directions of the ſaid Commiſſioners or Truſtees, or ſhall drive or cauſe to be driven any Cattle, Cart, or Carriage on the ſaid Banks, or the Foreland or Ceſſes thereof, or ſhall ſet or cauſe to be ſet on any of the ſaid Banks, Roads, Droveways, or Allotments, any Stack or Heap of Hay, Fodder, Reed, Sedge, Faggots, Turves, or Manure, or if any Perſon or Perſons ſhall at any Time ſet down any Net or Engine for the catching of Fiſh or otherwiſe in any of the Drains belonging to or uſed by the ſaid Commiſſioners or Truſtees, or ſhall throw any Earth or other Obſtructions into any of the ſaid Drains, every ſuch Perſon ſo offending, and being thereof convicted before One or more of His Majeſty's Juſtices of the Peace for the County, Juriſdiction, Parts, or Diviſion where the Offence ſhall be committed, upon the Oath of One or more credible Witneſs or Witneſſes, or on the Confeſſion of the Party or Parties ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum or Sums of Money not exceeding Ten Pounds, as the Juſtice or Juſtices ſhall order and direct.

Penalties for Obſtructions.

XXV. And be it further enacted, That the Maſter and Owner of every Boat, Barge, Lighter, or other Veſſel, ſhall be, and he, ſhe, and they, is and are hereby made anſwerable for any Treſpaſs, Damage, Spoil, or Miſchief that ſhall be done by ſuch Boat, Barge, Lighter, or other Veſſel, or by any of the Boatmen, Bargemen, Watermen, or other Perſon or Perſons belonging to or employed in or about the ſame reſpectively, to any of the Buildings, Bridges, Banks, Stiles, Gates, Fences, Weirs, Locks, Baſins, Dams,

Owners accountable for Damage done by Boatmen.

Dams, Mills, or other Works, erected, maintained, or repaired, or erecting or to be erected, maintained or repaired, by virtue of this or the ſaid firſt-recited Act, either by loading or unloading of any Boat, Barge, Lighter, or other Veſſel, or by any other Means whatſoever; and the Maſter or Owner of ſuch Boat, Barge, Lighter, or other Veſſel, ſhall for every ſuch Offence, Treſpaſs, Damage, Spoil, or Miſchief, upon Conviction of any ſuch Boatmen, Bargemen, Watermen, or other Perſon or Perſons, before any Juſtice of the Peace for the County, Juriſdiction, Diviſion, or Parts where the ſame Offence, Treſpaſs, Damage, Spoil, or Miſchief, ſhall be done or committed (on the Oath of any credible Witneſs or Witneſſes, which Oath ſuch Juſtice is hereby authorized and required to adminiſter), or on the Confeſſion of the Party or Parties offending, forfeit and pay to the Party or Parties injured ſuch Damages, Satisfaction, or Compenſation as ſhall be aſcertained, fixed, and determined by ſuch Juſtice: Provided that no ſuch Damages, Satisfaction, or Compenſation ſhall exceed the Sum of Twenty Pounds, and ſhall alſo forfeit and pay to the Informer or Informers any Sum not exceeding Five Pounds, to be ſettled and determined by ſuch Juſtice; but in caſe ſuch Damages ſhall exceed the Sum of Twenty Pounds, the ſaid Maſter or Owner of ſuch Boat, Barge, Lighter, or other Veſſel, may be ſued and proſecuted for ſuch Damages, Satisfaction, and Compenſation, in any of His Majeſty's Courts of Record at *Weſtminſter*; and if a Verdict or a Judgment ſhall be given againſt him or her, either on Proof made, or by Default or upon Demurrer, the Plaintiff in every ſuch Caſe ſhall recover his Damages thereby ſuſtained, with full Coſts of Suit.

Boatmen to repay Amount of Damages to Owners.

XXVI. Provided always, and be it further enacted, That ſuch Boatmen, Bargemen, Watermen, and other Perſon or Perſons, and each and every of them, ſhall be liable to repay ſuch Damages, Satisfaction, Compenſation, and Penalty ſo aſcertained, fixed, and determined by ſuch Juſtice, with the Coſts of levying and recovering thereof, to ſuch Maſter or Maſters, Owner or Owners; and in caſe of Non-payment thereof upon Demand, and Oath made by ſuch Maſter or Maſters, Owner or Owners, of the Payment made by him, her, or them of ſuch Damages, Satisfaction, and Compenſation, or Penalty, and that the ſame and the Coſts thereof have or hath not been paid by him, her, or them, by ſuch Servants, Boatmen, Bargemen, or Watermen, or any of them, although demanded, ſuch Oath to be made before any One of His Majeſty's Juſtices of the Peace, who are hereby reſpectively authorized to adminiſter the ſame, the Amount thereof ſhall be recovered, in like Manner as any Penalty is hereby directed to be levied and recovered, by Warrant under the Hand and Seal of any Juſtice or Juſtices.

Millers and others refuſing to deliver up Engines, to be removed.

XXVII. And be it further enacted, That if any Engine Keeper, Miller, or other Officer, who ſhall be diſcharged from his Office by virtue of the ſaid firſt recited Act or this Act, or the Wife or Widow, or any of the Children, Family, or Repreſentatives of any ſuch Engine Keeper, Miller, or other Officers, who ſhall be diſcharged, or who ſhall happen to die, or any other Perſon or Perſons, ſhall refuſe to deliver up the Poſſeſſion of any Engine, Mill, or Building erected or to be erected or ſet up upon the Lands and Grounds by the ſaid firſt-recited Act and this Act intended to be drained and incloſed, or any Yard or Garden belonging thereto, or any other Premiſes belonging to or under the Direction of the ſaid Commiſſioners

missioners or Trustees, in the Possession of such Engine Keeper, Miller, or other Officer, or other Person, for the Space of Four Days after Demand thereof made, and Notice in Writing given for that Purpose by the said Commissioners or Trustees (though not assembled at any Meeting), or by their Clerk or Clerks, then and in any such Case it shall be lawful for any Constable or other Peace Officer for the said Parish of *Crowland*, by virtue of a Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, Jurisdiction, Parts, or Division in which such Engine, Mill, or Building, Yard, Garden, or other Premises shall be situate (who is and are hereby empowered to grant the same) with such Assistance as shall be necessary to enter every or any such Engine, Mill, or Building, Yard, Garden, or other Premises, in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Effects, out of the same, and to deliver the Possession thereof to the said Commissioners or Trustees, or their Clerk or Clerks, or to such other Person or Persons as the said Commissioners or Trustees shall direct, and also to seize, sell, and dispose of so much of the said Goods and Effects as shall be necessary for paying and discharging the Expences which shall have been incurred by or in consequence of such Refusal as aforesaid.

Distress not to be unlawful for want of Form.

XXVIII. And be it further enacted, That where any Distress shall be made for any Rate, Tax, Penalty, Forfeiture, or Sum of Money to be levied under the Authority of the said first-recited Act and of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Rate or Assessment to be made, or in the Information, Summons, Conviction, Warrant, Distress, or any other Proceeding relating to such Rate, Tax, Penalty, Forfeiture, or Sum of Money, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards take place or be occasioned, but the Person or Persons who shall be aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

The Appointments and other Matters of Form to stand admitted in Evidence, unless Notice given to produce them.

XXIX. And be it further enacted, That in any Action, Suit, or Appeal hereafter to be brought by or against the said Commissioners or Trustees, or any other Persons acting in the Execution of the said recited Acts or either of them, or this Act, for any Cause, Matter, or Thing arising out of the same Acts or any of them, the Appointments of the said Commissioners or Trustees, and also of the Clerk, Treasurer, Collectors, or other Officers or Persons appointed or to be appointed by the said Commissioners or Trustees for the Time being, under the Authority of the said first-recited Act or of this Act, the Books of Entries of the Proceedings and Accounts of the said Commissioners and Trustees for the Time being, the Taxes, Rates, or Assessments, made or to be made by the said Trustees for the Time being, and the Notices and Demands of any such Tax, Rate, or Assessment, Taxes, Rates, or Assessments, to be hereafter made, and the Insufficiency of any intended Distress or Distresses, shall, upon the Trial or Hearing of any such Action, Suit, or Appeal, stand admitted in Evidence, unless the other Party or Parties shall, if Defendant or Defendants, at or before the Time of pleading, or if Plaintiff or Plaintiffs, before Issue joined in such Action or Suit, give Notice in Writing to the Attorney for the Plaintiff

Plaintiff or Plaintiffs, Defendant or Defendants, or unleſs if the Proceeding be in the Nature or by way of Appeal, ſhall give Fourteen Days Notice in Writing, previous to the Day of ſuch Appeal being heard, to the Clerk to the ſaid Commiſſioners or Truſtees, that he, ſhe, or they intend to diſpute ſuch Matters, or ſuch of them as ſhall be particularly ſpecified in the Notice ſo hereby required to be given as aforeſaid.

Perſons intereſted not on that Account to be incompetent Witneſſes.

XXX. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever relating to or concerning the Execution of the ſaid firſt-recited Act or this Act, no Perſon or Perſons ſhall be prevented from giving his or their Evidence, or be deemed or taken to be an incompetent Witneſs or Witneſſes, on account of his, her, or their being aſſeſſed to or paying any Rates or Taxes to be paid by virtue of the ſaid recited Act or this Act.

Repealing Powers to examine Accounts upon Oath.

XXXI. And be it further enacted, That ſo much of the ſaid firſt-recited Act, as authorizes the Commiſſioners and Truſtees therein named to examine the Clerks, Receivers, and other Officers to be appointed by them under the Powers of the ſaid Act, touching their Accounts upon Oath, be and the ſame is hereby repealed.

Recovery and Application of Penalties.

XXXII. And be it further enacted, That each and every Penalty and Forfeiture by the ſaid recited Acts or this Act impoſed, or authorized to be impoſed, the Manner of levying and recovering whereof is not herein by the ſaid recited Acts particularly directed, and all Coſts and Charges attending the Recovery thereof, ſhall, upon Proof of the Offence before any One or more of His Majeſty's Juſtices of the Peace for the County, Juriſdiction, Parts, or Diviſion where the ſame ſhall have been committed, either by the Confeſſion of the Offender or Offenders, or by the Oath of One or more Witneſs or Witneſſes, which Oath ſuch Juſtice is hereby empowered to adminiſter, be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal of ſuch Juſtice, which Warrant he is hereby empowered to grant for ſuch Purpoſe; and in caſe no ſufficient Diſtreſs can be found, and the Penalty and Forfeiture with the Coſts incurred, ſhall not be forthwith paid, it ſhall and may be lawful for any ſuch Juſtice of the Peace as aforeſaid, and he is hereby authorized and required by Warrant under his Hand and Seal, to cauſe the Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the County, Juriſdiction, Parts, or Diviſion wherein ſuch Offence ſhall have been committed, there to remain without Bail or Mainprize for any Term not exceeding Six Calendar Months, at the Diſcretion of ſuch Juſtice or Juſtices, unleſs ſuch Penalty or Forfeiture, and all reaſonable Charges and Expences attending the Proceedings againſt ſuch Offender or Offenders, ſhall be ſooner paid and ſatisfied; and that the ſeveral Penalties and Forfeitures by the ſaid recited Acts and this Act impoſed and made payable, the Application whereof is not therein or herein-before particularly directed, ſhall, until the Execution of the Award or Inſtrument herein-before referred to, be paid into the Hands of the ſaid Commiſſioners, and be by them applied and diſpoſed of, until the Execution of the ſaid Award, in and towards the Charges and Expences of putting the ſaid Acts into Execution; and from and after the Execution of the Award ſhall be paid into the Hands of the ſaid Truſtees,

Truſtees, and be by them applied and diſpoſed of in ſuch and the ſame Manner, and to and for ſuch and the ſame Ends and Purpoſes, as the Rates and Taxes by the ſaid firſt-recited Act authorized to be raiſed and levied are thereby directed and authorized or intended to be applied and diſpoſed of, and to and for no other Uſe or Purpoſe whatſoever.

Saving the Rights of the Bedford Level Corporation.

XXXIII. Provided always, and be it further enacted, That nothing in this or the ſaid recited Acts contained ſhall extend, or be conſtrued to extend to relieve, exonerate, or diſcharge any Part or Parcel of the Lands or Grounds, containing Ninety-five thouſand Acres, called *The Adventurers Land*, from the Payment of all or any of the Taxes to which the ſaid Ninety-five thouſand Acres of *Adventurers Land*, or any Part or Parcel thereof, are now ſubject or liable, or to which they may hereafter become ſubject or liable, by virtue of an Act of Parliament paſſed in the Fifteenth Year of the Reign of His late Majeſty King *Charles* the Second, intituled *An Act for ſettling the Draining of the Great Level of the Fens, called* Bedford Level; or of an Act paſſed in the Twentieth Year of the Reign of His ſaid late Majeſty King *Charles* the Second, intituled *An Act for taxing and aſſeſſing the Lands of the* Adventurer's *within the Great Level of the Fens*; but that all and every Part and Parcel of the ſaid Ninety-five thouſand Acres of *Adventurers Lands* ſhall for ever hereafter remain ſubject and liable to all ſuch Taxes, and Powers of taxing, impoſing, charging, and aſſeſſing the ſame, and of levying and recovering of ſuch Taxes as are now by virtue of the ſaid two laſt-mentioned Acts or otherwiſe veſted in the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, or in the Governor, Bailiffs, and Conſervators of the ſaid Corporation; and that nothing in this or the ſaid recited Acts contained ſhall extend, or be conſtrued to extend to empower the ſaid Commiſſioners, or any of them, or any other Perſon or Perſons whomſoever, to have, uſe, or exerciſe any Power or Authority over, or to alter, obſtruct, or intermeddle with any of the Sluices, Tunnels, Bridges, or other Works, or with the Rivers, Sewers, Drains, Wear Dikes, or the Banks, on the Front or Back Forelands thereof, that now are or hereafter ſhall be veſted in, poſſeſſed by, belonging to, or under the Care or Authority of the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators of the ſaid Corporation, or to invalidate, leſſen, or diminiſh, alter, or take away, any of the Rights, Powers, and Authorities veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, by the ſaid laſt-mentioned Acts of the Fifteenth and Twentieth Years of the Reign of His ſaid late Majeſty King *Charles* the Second, or by virtue of any other Act, Statute, or Charter, Law of Sewers, or otherwiſe howſoever; but that all Rights, Powers, and Authorities which are now veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, or in every or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, and every of them, as fully and amply to all Intents and Purpoſes as if this Act had not been paſſed.

Banks, &c. of the Bedford Level Corpo-

XXXIV. Provided always, and be it further enacted, That nothing in this Act, or in the ſaid Act paſſed in the Forty-firſt Year of the Reign of His

ration not to be taken as any Part of the Lands and Grounds to be drained, divided, or incloſed.

His preſent Majeſty, intituled *An Act for draining, dividing, and incloſing a Common called* Crowland Common, *otherwiſe* Goggufhland, *and certain Open Half Year's Meadow, Commonable, and Waſte Grounds, called the* Waſhes *and* Fodder Lots, *in, adjoining, or near the Townſhip of* Crowland *in the County of* Lincoln, contained, ſhall extend or be conſtrued to extend, to authorize and empower the ſaid Commiſſioners to allot, ſet out, or divide any Part or Parts of the Banks now veſted in, poſſeſſed by, belonging to, or under the Care or Authority of the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, or of the Governor, Bailiffs, and Conſervators of the ſaid Corporation, or any Part or Parts of the Front and Back Forelands of ſuch Banks adjoining or lying open to the ſaid Lands and Grounds to be drained, divided, and incloſed by the ſaid recited Act, or any Part or Parts thereof, or to intermeddle with or to make any Order relating thereto; but that the ſaid Banks and the Front and Back Forelands thereof ſhall be deemed and taken, as not being any Part or Parts of the Lands and Grounds to be drained, divided, or incloſed by the ſaid Acts, and ſhall remain and continue in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, in the ſame Manner, and ſubject to the ſame Rights, as if the ſaid Acts or either of them had not been paſſed.

Appeal.

XXXV. And be it further enacted, That ſo much and ſuch Part and Parts of the ſaid firſt-recited Act as gave to Perſons aggrieved a Power of Complaint or Appeal to the Juſtices of the Peace at their General Quarter Seſſions of the Peace to be holden for the Parts of *Holland* in the ſaid County of *Lincoln*, be and the ſame is and are hereby repealed; and in lieu thereof, be it further enacted, That from and after the paſſing of this Act, if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Act, Matter, or Thing done or to be done by virtue or in purſuance of this or of the ſaid firſt-recited Act (other than and except ſuch Orders or Determinations as are herein-before, and in the ſaid firſt-recited Act declared to be final and concluſive), it ſhall be lawful for ſuch Perſon or Perſons, within the Space of Six Calendar Months next after ſuch Act, Matter, or Thing ſhall be done or ordered to be done, to complain or appeal to the Juſtices of the Peace at their General Quarter Seſſions of the Peace to be holden for the ſaid Parts of *Holland*, or for the Parts of *Keſteven*, in the ſaid County of *Lincoln*, as the Caſe may happen to be; which ſaid Juſtices ſo aſſembled in Seſſions are hereby authorized and required to hear and determine the Matter of every ſuch Complaint or Appeal, and to make ſuch Order, and award ſuch Coſts and Damages, as to them in their Diſcretion ſhall ſeem reaſonable; which Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere.

Proviſions of recited Acts to extend to this Act.

XXXVI. And be it further enacted, That the ſaid recited Acts, and all and every the Powers, Authorities, Proviſions, Regulations, Clauſes, Articles, Matters, and Things therein reſpectively contained, (ſave and except ſuch Part or Parts thereof as have already ceaſed and determined, as alſo ſave and except ſuch Part and Parts thereof as is hereby altered, varied, amended,

amended, or repealed), shall be and remain in full Force and Effect, and the same, as far as they are applicable, shall be as good, valid, and effectual to all Intents and Purposes whatsoever, for carrying the said recited Acts and this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Public Act.

XXXVII. 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.

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