ANNO DUODECIMO

VICTORIÆ REGINÆ.

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Cap. vii.

An Act for improving the Drainage of *Feltwell* Second District in the County of *Norfolk*, and for amending the Acts relating to the same.

[11th *May* 1849.]

WHEREAS an Act was passed in the Thirteenth Year of the Reign of King *George* the Third, intituled *An Act for draining and preserving certain Fen Lands and Low Grounds lying in the South Level, Part of the Great Level of the Fens commonly called* Bedford Level, *between certain old Rivers or Drains called* Stoke River *and* Brandon River *and a certain Level or District called* Feltwell *New District, and the Hard Lands of* Woodhall *in* Helgay *and* Helgay *in the Counties of* Norfolk *and* Suffolk, whereby certain Fen Lands and Low Grounds therein described were made One general District, for the Purpose of scouring, deepening, maintaining, and supporting the old Sewer or Drain called *Sam's Cut* otherwise *Sam's Cut Drain*, and a certain Sluice called *Hunt's Sluice*, at the End thereof next the River *Ouse*, and were also thereby made Two separate Districts or Divisions, for the Purpose of embanking and draining the same, and such Part and so much of the said Fen Lands and Low Grounds bounded and described as follows; (that is to say,) from *Wilton Load* along the North Side of *Brandon River* to the new Bank at *Feltwell* New District, and along the said Bank to *Sam's Cut* or *Drain* on the South Side thereof, and 13 G. 3. c. 45.

from thence along the same Drain to *Stake Load*, and on the South Side of *Stake Load* aforesaid to the Hard Lands of *Feltwell*, and along the Hard Lands of *Feltwell Saint Mary*, *Feltwell Saint Nicholas*, and *Hockwold-with-Wilton*, to *Wilton Load* aforesaid, containing about Six thousand Acres, were thereby called and taken to be the Second District or Division: And whereas an Act was passed in the Forty-second Year of the Reign of King *George* the Third,
42 G. 3. c. 24. intituled *An Act for amending and rendering more effectual so much of an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled 'An Act for draining and preserving certain Fen 'Lands and Low Grounds lying in the South Level, Part of the 'Great Level of the Fens commonly called* Bedford Level, *between 'certain old Rivers or Drains called* Stoke River *and* Brandon River *'and a certain Level or District called* Feltwell *New District and 'the Hard Lands of* Woodhall *in* Helgay *and* Helgay *in the Counties 'of* Norfolk *and* Suffolk,' *as relates to the Fen and Low Grounds lying within the Second District or Division described in the said Act:* And whereas it is expedient that some of the Powers and Provisions of the said firstly-recited Act, so far as the same relate to the said Second District or Division, and also that some of the Powers and Provisions of the said secondly-recited Act, should be altered, amended, and enlarged, and that further Powers should be granted for raising an additional Sum of Money for more effectually draining and improving the Lands and Grounds comprised in the said Second District or Division, and for the proper Maintenance of the Works within the same; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 all the Provisions, Matters, and Things contained in the said firstly-recited Act, so far as the same relate to the said Second District or Division, and all the Provisions, Matters, and Things contained in the said secondly-recited Act, so far as the same are now in force, (and except such of them as are by this Act altered or otherwise provided for,) shall extend to this Act, as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act.

Certain Provisions of recited Acts extended to this Act.

So much of first-recited Act as relates to Limitation of Actions repealed.

II. And be it enacted, That so much of the said recited Act passed in the Thirteenth Year of the Reign of King *George* the Third as enacts "that if any Action, Suit, or Information should be com-
" menced or prosecuted against any Person or Persons for anything
" done or to be done in pursuance of that Act, every such Action or
" Suit should be commenced within Six Calendar Months next after
" the Fact committed, and not afterwards, and should be laid or
" brought in the particular County or Liberty where such Offence
" should be supposed to have been done, but not elsewhere; and the
" Defendant or Defendants in such Actions or Suits should and
" might plead the General Issue, and if in Replevin might justify
" and avow by virtue of that Act as Persons acting by Authority
" of Commissioners of Sewers were enabled to do, and give the
" special Matter in Evidence, without specially pleading the same, at
" any Trial to be had thereupon, and that the Fact alleged to have

" been

" been done was done in pursuance and by Authority of that Act;
" and if the same should appear to have been so done, or if any
" such Action or Suit should be brought after the Time for bringing
" the same, or should be brought in any other County, Liberty, or
" Place as aforesaid, then the Jury should find for the Defendant or
" Defendants, Avowant or Avowants; but if the Plaintiff or Plaintiffs
" should become nonsuit, or forbear Prosecution, or discontine his,
" her, or their Suit or Suits, or if any Verdict should pass against him,
" her, or them upon Demurrer, then and in any of the said Cases the
" Defendant or Defendants, Avowant or Avowants, should recover
" Double Costs, for which he, she, or they should have the like
" Remedy as where Costs by Law were awarded;" and so much of the said recited Act passed in the Forty-second Year of the Reign of King *George* the Third as enacts, "that if any Person or Persons
" should wilfully and maliciously burn, cut, throw down, break down,
" or otherwise destroy any Bank, Mill Hill, Mill, Engine, Flood-
" gate, Tunnel, or Sluice, already erected, supported, maintained, or
" used, or which should at any Time or Times thereafter be making,
" erecting, or be made or erected, supported, maintained, or used, by
" virtue of that Act and the Act therein recited, made in the
" Thirteenth Year of the Reign of His present Majesty, or either
" of them, within the Limits of the said Second District, for draining
" or preserving the Fen Lands and Low Grounds within the same, or
" for other the Purposes of the said recited Act made in the
" Thirteenth Year of the Reign of His present Majesty, and of that
" Act, or either of them, every Person so offending, and being thereof
" convicted, should be subject and liable to the like Pains and
" Penalties as in Cases of Felony, and the Court by or before whom
" such Person should be tried and convicted should have Power and
" Authority to cause such Person to be punished in like Manner as
" Felons are directed to be punished by the Laws and Statutes of
" this Realm, or, in mitigation of such Punishment, such Court
" might, if they thought fit, award such Sentence as the Law directs
" in Cases of Petty Larceny; and that if any Action or Suit should
" be brought or commenced against any Person or Persons, Bodies
" Politic or Corporate, for anything done in pursuance of that Act,
" every such Action or Suit should be brought or commenced within
" Six Calendar Months next after the Fact committed, or in case
" there should be a Continuation of Damages, then within Six Calen-
" dar Months next after the doing or committing such Damage should
" have ceased, and not afterwards, and should be laid and brought
" in the County where the Matter in dispute or Cause of Action
" should arise, and not elsewhere; and if any such Action or Suit
" should be brought before Thirty Days Notice should have been
" given, or after a sufficient Satisfaction made or tendered, or after the
" Time so limited for bringing the same, or in any other County or
" Place than as aforesaid, then and in every such Case the Jury
" should find for the Defendant or Defendants; or if the Plaintiff or
" Plaintiffs should become nonsuit, or suffer a Discontinuance of his,
" her, or their Action or Suit, after the Defendant or Defendants
" should have appeared, or if a Verdict should pass against the
" Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment
" should be given against the Plaintiff or Plaintiffs, the Defendant or
" Defendants should have Double Costs, and should have such
" Remedy

So much of secondly-recited Act as inflicts a Penalty on destroying Works repealed.

" Remedy for recovering the same as any Defendant had for Costs " of Suit in other Cases by Law;" shall be and the same is hereby repealed.

Short Title.

III. And be it enacted, That in citing this Act for any Purposes whatsoever it shall be sufficient to use the Expression " The *Feltwell* Second District Drainage Act, 1849."

Interpretation of Terms used in this Act.

IV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word " Person " shall include any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole:

The Word " Lands " shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word " County " shall include any Division of a County.

Provisions in secondly-recited Act as to Meeting of Commissioners repealed.

V. And be it enacted, That so much of the said secondly-recited Act as enacts, " that the said Commissioners, or any Five or more of " them, should meet twice in every Year at the *Cock Inn* in *Feltwell* " aforesaid, or at such other Place within or near to the said Second " District as the said Commissioners should from Time to Time " appoint, on the Second *Monday* in the Month of *April* and the " Second *Monday* in the Month of *October* in each and every Year," shall be and the same is hereby repealed.

Construction of Term " Feltwell Second District Commissioners."

VI. And be it enacted, That the Words " *Feltwell* Second District Commissioners " shall for all Purposes of the said recited Acts and this Act, be taken to mean the Commissioners acting in Execution of and under the Powers and Provisions of the said recited Acts and this Act.

Two General Meetings to be held annually.

VII. And be it enacted, That the said *Feltwell* Second District Commissioners shall hold Two General Meetings in every Year on the Third *Mondays* in the Months of *April* and *October*, and that such Meetings shall be holden at some Inn or convenient Place in *Feltwell* in the County of *Norfolk*; and in case Five Commissioners shall not be present at such Meetings the same shall be adjourned by the Commissioners present, or the Clerk to the said Commissioners, to any Time, and to any Inn or convenient Place in *Feltwell* aforesaid, that may be thought expedient; and all other Meetings shall be holden by the said *Feltwell* Second District Commissioners, and Notices thereof, and of the said General Meetings and adjourned Meetings, shall be given in manner provided by the said secondly-recited Act.

All other Meetings to be held pursuant to secondly-recited Act.

Power to appoint Committees.

VIII. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners at any Meeting to appoint One or more Committee or Committees, consisting of not less than Five of the Commissioners, for carrying into effect any of the Provisions

visions of this Act and the said recited Acts, or either of them, and at any Meeting to continue, alter, or discontinue any such Committee, but no such Committee shall be appointed to act for a longer Term than until the General Meeting of the Commissioners next following its Appointment; and the said Commissioners may make such Allowance for any reasonable Expenses incurred by such Committees as they may think expedient.

Quorum of Committees.

IX. And be it enacted, That no Business shall be transacted at any Meeting of any Committee unless Three Members of the Committee be present.

Power to Commissioners to assess a Further Tax on Lands.

X. And be it enacted, That the said *Feltwell* Second District Commissioners shall annually tax, charge, and assess all the Fen Lands and Low Grounds, Commons, Commonable and Waste Lands, within the aforesaid Boundary of the said Second District, with an Acre Tax not exceeding in any Year Five Shillings nor less than Four Shillings, and in such Proportions for less than an Acre, in addition to the Acre Taxes imposed upon the said Lands and Grounds, or any of them, under the Authorities of the said recited Acts; and the said Tax to be imposed under the Authority of this Act shall be called "The Further Tax;" and such Tax shall be payable at the same Times and Places respectively, and to the same Persons respectively, and in the same Manner in all respects as the several Taxes authorized to be imposed, charged, and assessed upon the said Lands and Low Grounds, or any of them, by the said recited Acts, are thereby taxed, charged, and assessed, and directed to be paid.

Commissioners not to tax Lands, &c. called "The Poor's Commons,"

XI. And be it enacted, That it shall not be lawful for the said *Feltwell* Second District Commissioners at any Time to tax, charge, or assess any Part or Parts of the Lands or Grounds in *Feltwell* aforesaid called "*The Poor's Commons*," containing Three hundred and Sixty Acres or thereabouts, and bounded by a Ditch called *Mott's Dyke* towards the North and North-west, by a Drain called the *New Drain* or the *Cross Drain* towards the South-east, and by the Ditch called *Stake Load* towards the South-west, or the Common situate in *Hockwold* aforesaid called the "*Poor's Common*," and containing about Thirty Acres, which shall be dug for Fuel for the Use of the Poor, with any Taxes directed or authorized to be imposed by the said first-recited Act and this Act, or either of them, so long and as often as such Part or Parts of the said Lands or Grounds and the said last-mentioned Common shall be so dug up for Fuel for the Use of the Poor: Provided always, that the Trustees or Feoffees of the said Lands, Grounds, or Commons, when the said Land shall be so dug up, shall make and maintain a proper and sufficient Bank or other Works to prevent any Water from flowing or passing from the same into the said Second District during the Time the said Lands, Grounds, or Commons shall be dug up as aforesaid: Provided also, that the total Quantity of Land in *Feltwell* aforesaid so to be exempted from Taxation shall not at any Time exceed Sixty Acres, unless the Trustees of the said Land called the *Poor's Commons* shall at any Time claim to have any greater Quantity of Land exempted, in which Case it shall be lawful for the said Trustees and the said *Feltwell* Second

District Commissioners from Time to Time to agree upon and determine the Quantity of Land to be exempted from such Taxes, and to vary such Quantity as they may think fit; and in case any Difference of Opinion shall at any Time arise between the said Trustees and the Commissioners thereon, the Matter in difference shall be referred to the Determination of some Person to be appointed by the Parties so differing, or in case they shall not agree upon such Appointment, then by the Chairman for the Time being of the Board of Guardians of the Poor Law Union comprising the Parishes of *Feltwell;* and the Award or Decision of such Referee in Writing shall be final and conclusive.

Power to assess an Additional Tax as well as the Further Tax.

XII. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners from Time to Time, as often as they shall think fit, annually to tax, charge, and assess upon all the Lands and Grounds to be assessed with the said Further Tax a Tax not exceeding in any Year Two Shillings and Sixpence *per* Acre, and so in proportion for any less Quantity, such Tax to be called "The Additional Tax," and to be taxed, charged, and assessed upon the Lands and Ground hereby charged therewith in like Manner and to be paid at the same Times and Places and to the same Persons respectively as the said Further Tax is hereby directed to be taxed, charged, assessed, and paid: Provided always, that no such Additional Tax shall in the first instance be imposed, unless at a Special Meeting of the said Commissioners to be called for that Purpose Three Fourths in Value of the Commissioners present at such Meeting shall consent or vote for the same, such Value to be ascertained according to the Assessments or Taxation made by the said *Feltwell* Second District Commissioners of the Lands and Grounds within the said District under this and the said recited Acts.

Power to borrow Money on the Credit of Taxes.

XIII. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners from Time to Time to borrow, at Interest, on the Credit of the several Taxes by this Act directed or authorized to be imposed, any Sum or Sums of Money not exceeding in the whole the Sum of Eight thousand Pounds; and for securing the Repayment of the Sum or Sums so borrowed, with Interest, the said Commissioners, or any Five of them present at any Meeting, may assign the several Taxes by this Act directed or authorized to be imposed, or any Part or Parts thereof respectively, with all proper Powers or Remedies for recovering and enforcing Payment thereof, to the Person who shall lend such Money, or some Person appointed by him.

Power to borrow further Sum on the Credit of the Additional Tax.

XIV. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners from Time to Time to borrow, at Interest, on the Credit of the Additional Tax by this Act directed or authorized to be imposed, any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand Pounds, in addition to any other Monies authorized to be borrowed under the Provisions of this Act; and for securing the Repayment of the Sum or Sums so borrowed, with Interest, the said Commissioners, or any Five of them present at any Meeting, may assign the Additional Tax by this Act directed

directed or authorized to be imposed, or any Part thereof, with all proper Powers or Remedies for recovering and enforcing Payment thereof, to the Person who shall lend such Money, or some Person appointed by him, in like Manner as is herein or in the said recited Acts or either of them provided with respect to any Monies borrowed under the Provisions thereof, or of either of them.

Power to borrow Money at a lower Rate of Interest to pay off any Debt bearing a higher Rate.

XV. And be it enacted, That if the said *Feltwell* Second District Commissioners shall be able to borrow any Sum of Money at a lower Rate of Interest than any subsisting Securities given or made by them shall bear, it shall be lawful for them from Time to Time to borrow the same, as they shall think proper, on the Credit of all or any of the Taxes by the said recited Acts or this Act directed or authorized to be imposed on which such subsisting Securities shall be charged, but so that there shall not be more Money so borrowed than was at the Time owing on such Securities; and it is hereby declared, that the Money to be borrowed under the present Provision, and the Interest for the same, may be secured by an Assignment by the said Commissioners, or any Five of them, of the said Taxes, charged with such subsisting Securities or any Part or Parts thereof respectively, with all Powers and Remedies whatsoever for recovering and enforcing Payment thereof, in like Manner in all respects as is herein-before provided as to the said Sum of Eight thousand Pounds and the Interest thereof.

Power to borrow Money to pay off any existing Debt.

XVI. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners from Time to Time to borrow, at Interest, on the Credit of the Taxes hereby or by the said recited Acts or either of them directed or authorized to be levied by them, or of either of the said Taxes, or any Part or Parts thereof respectively, any Sum or Sums which they may think necessary to be raised for the Purpose of paying off any Sum or Sums which may have been previously borrowed under any of the Powers herein or in the said recited Acts or either of them contained (and all the Powers and Provisions herein-before or in the said recited Acts or either of them given and contained with respect to any Monies authorized to be borrowed shall apply to the Monies borrowed under this present Provision): Provided always, that the Taxes hereby authorized to be imposed shall not be charged with any existing Mortgage Debt of the said Commissioners, nor shall the Taxes authorized to be imposed by the said recited Acts or either of them be charged with any future Mortgage Debt of the said Commissioners.

Power to Commissioners to receive Taxes in advance, allowing Discount for the same.

XVII. And be it enacted, That it shall be lawful for the said Commissioners, if they shall think fit so to do, at any Time or Times to receive from any Person who may be desirous of advancing the same, the Amount of the Taxes, or any of them, to which any Land belonging to him may be liable to be assessed under the said recited Acts or this Act, for any Year or Number of Years, and to allow Discount for the same at such Rate, not exceeding Five Pounds *per Centum per Annum*, as may be agreed upon by the said Commissioners and the Person making such Payment, from the Time the same shall be made to the Time when the Taxes so paid in advance would be payable under

under the Provisions of the said recited Acts and this Act, or either of them; and every Receipt for any Sum so paid in advance shall be a Discharge for the Taxes in respect of which the Payment shall have been made.

Power to Tenants of Land to deduct Taxes paid by them from Rents.

XVIII. And be it enacted, That every Tenant and Lessee of Land taxable under this Act shall have the same Powers and Remedies for the Deduction of the Taxes imposed by this Act from the Rents payable by them as are given by the said secondly-recited Act with respect to the Taxes imposed by that Act.

Application of Money received in advance of Taxes.

XIX. And be it enacted, That any Sums of Money which may be received by the said Commissioners under the Powers herein contained in advance of any Taxes imposed by the said recited Acts or either of them shall be applied in discharge of any Debts due or charged upon such Taxes; and that any Sums of Money which may be received by them in advance of any Taxes charged by this Act shall, in case any Debts charged on such Taxes shall remain due, be applied in discharge of such Debts.

Period when Taxes authorized to be raised by recited Acts are to cease.

XX. And be it enacted, That when and so soon as all the Mortgage Debts of the said Commissioners now existing, and any Monies which may be borrowed for discharging the same, shall be fully paid and satisfied, the Power and Authority given by the said recited Acts or either of them for charging and assessing the said Taxes thereby authorized to be imposed shall cease and determine.

What Maps, Surveys, &c. may be used in carrying into effect Provisions of this Act.

XXI. And be it enacted, That it shall be lawful for the said *Feltwell* Second District Commissioners to adopt and make use of any existing Surveys, Maps, and Plans, parochial or otherwise, of all or any Part of the Lands or Grounds by this Act made liable to the Payment of any Tax or Assessment; and the said Commissioners may, in their Discretion, from Time to Time order and direct all or any Part of such Lands or Grounds to be surveyed and mapped; and it shall be lawful for any Person employed on such Survey, Map, or Plan to enter on any taxable Lands or Grounds for that Purpose; and a Copy of or Extract from any Survey, Map, or Plan, so adopted or made use of, and also the said last-mentioned Survey or Map, when authenticated to the Satisfaction of the said Commissioners, and signed by any Five or more of them, shall be binding on the several Persons charged with the Payment of such Taxes and Assessments for their several Lands and Grounds, and shall be admitted in Evidence in all Courts whatsoever, in all Cases, Suits, and Actions touching anything done in pursuance of the said recited Acts and this Act, or either of them.

Power to reduce common Droveways, and to sell surplus Lands.

XXII. And be it enacted, That it shall be lawful for the said *Feltwood* Second District Commissioners, at any of their Meetings, from Time to Time to order the common Droveways belonging to the Commissioners within the said District, or any Parts thereof, to be reduced in Width to such an Extent as that no Part of such Droveways shall be less than Forty Feet wide, and thereupon to order all such Parts of the said Droveways as shall not be situate within the reduced Boundary thereof to be sold and absolutely disposed of, in

such Portions and Parcels and in such Manner as to them, in their Discretion, shall appear most advantageous and expedient, and either by public Auction or private Contract; and it shall be lawful for any Five or more of the said Commissioners, from Time to Time, pursuant to an Order in that Behalf made at some Meeting of the said Commissioners, to sign, seal, and execute all necessary Agreements, Conveyances, and Assurances for conveying the Right, Title, and Interest of the said Commissioners in the said Portions of the said Droveways so sold to the respective Purchasers thereof; and all such Conveyances, Agreements, and Assurances shall be good, valid, and effectual to all Intents and Purposes whatsoever: Provided nevertheless, that no Order for Sale of any Part of the said Droveways shall at any Time be made by the said Commissioners unless Notice of the Intention of proposing the Sale thereof shall be stated in the Notices convening the Meeting at which such Proposal is intended to be taken into consideration; provided further, that previously to any such Sale the said Commissioners shall offer to the respective Owners of the Land adjoining the same such Portions of the Droveways so to be sold as may adjoin their respective Properties, at such Prices as the said Commissioners may think fit; and that it shall not be lawful for the said Commissioners to sell the same, either by private Contract or by public Auction, to any Person or Persons, at less Prices than the respective Proprietors of the adjoining Lands shall offer to give for the same, and for which they shall complete the Purchases thereof within a reasonable Time, to be fixed by the said Commissioners.

Auditor to be appointed.

XXIII. And be it enacted, That the Chairman of the Court of Quarter Sessions for the Time being for the said County of *Norfolk* shall and he is hereby required from Time to Time to nominate some fit and proper Person to be Auditor of the Accounts of the said *Feltwell* Second District Commissioners; and the Person so to be nominated shall on his Appointment make and sign, before One of Her Majesty's Justices of the Peace, a solemn Declaration that he will faithfully and impartially, according to the best of his Skill and Judgment, execute the Powers and Authorities reposed in him as Auditor by virtue of this Act; and the Auditor so appointed shall receive from the said *Feltwell* Second District Commissioners a reasonable Remuneration for his Time and Trouble, not exceeding Two Guineas for every Day he shall be fully employed on such Audit, and all such Expenses as he shall be put unto attending the auditing of such Accounts.

Auditor to inspect Accounts, and, if he disapproves of any Part, may appeal against same to Quarter Sessions.

XXIV. And be it enacted, That the Auditor so nominated shall attend, as soon as conveniently may be after the General Meetings of the *Feltwell* Second District Commissioners, at their Office, or at some other convenient Place to be appointed by them, and from Time to Time shall, in the Presence of their Clerk, if he desire to be present, proceed to audit the Accounts of the Commissioners for the Half Year preceding the said General Meeting; and the Commissioners shall by their Clerk produce and lay before such Auditor the Accounts allowed and passed at such General Meeting, together with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and any Person interested

rested in the said Account, either as a Creditor of the Commissioners or as a Tax-payer, may be present at the Audit of the said Accounts, by himself or his Agent, and may make any Objection to any Part of such Account; and if the said Accounts be found correct, such Auditor shall sign the same, in token of his Allowance thereof; but if such Auditor think there is just Cause to disapprove of any Part of the said Accounts, he, or any other Person interested in the said Accounts as aforesaid, may appeal against any such Parts of the said Accounts as shall be so disapproved of to One of the Two next Quarter Sessions for the County of *Norfolk*, Notice in Writing of such Appeal being given to the Clerk of the Commissioners Fourteen Days at the least before the Hearing of such Appeal.

Court may adjudicate on Appeal, and order Payment of the Costs.

XXV. And be it enacted, That upon the Hearing of any such Appeal the Justices may make such Order as they think proper on the Matter so appealed against, and also on the Payment of the Costs of the Appellant by the *Feltwell* Second District Commissioners, as they think fit; and every such Order shall be final.

Annual Account to be prepared, and transmitted to the Clerk of the Peace, and to be open to Inspection.

XXVI. And be it enacted, That the *Feltwell* Second District Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by them by virtue of this and the said recited Acts for some Year ending on a Day down to which their Accounts shall have been made up, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Chairman of the Commissioners and by the said Auditor, and shall send a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Norfolk*, on or before the Thirtieth Day of *January* in each Year, which Account shall be open to the Inspection of the Public at all reasonable Hours, on Payment of the Sum of One Shilling for every such Inspection; and if the Commissioners shall omit to prepare and transmit such Account as aforesaid they shall be liable for every such Omission to a Penalty of Twenty Pounds.

Penalty on Omission.

Portion of Land described in 46 G. 3. c. 95. in Two Districts taken out of One District.

XXVII. And whereas by an Act passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for more effectually draining and preserving certain Fen Lands lying in the South Level, Part of the Great Level of the Fens called* Bedford Level, *between* Brandon River *and* Sam's Cut Drain, it was enacted, that the said Act should be put in execution for more effectually draining and preserving the Fen Lands in that Part of the Great Level of the Fens called the *South Level* lying and being in the several Parishes of *Feltwell Saint Mary*, *Feltwell Saint Nicholas*, *Hockwold-cum-Wilton*, *Methwold*, *Helgay*, and *Southery*, in the County of *Norfolk*, containing Seven thousand Acres or thereabouts, which Fen Lands were bounded as follows; that is to say, from the North Bank of *Brandon River*, about Two Furlongs below *Redmoor House*, along a certain Drain or Ditch called the *Twelve Foot Drain* to a decayed Sewer called *Stake Load*, and by the said Load to the Drain called *Sam's Cut*, and along the South Side of the said Drain to the East

Bank of the River *Ouse*, and then along the said Bank to *Brandon Creek's End*, and from thence along the North Bank of *Brandon River* to the *Twelve Foot Drain* aforesaid: And whereas a certain triangular Portion of the last-mentioned Fen Lands, containing about Five hundred and fifty Acres, and bounded in part on the West by the said *Twelve Foot Drain*, and on the other Part by the Bank of the *New Fen*, or First District, on the North-east by *Sam's Cut*, and on the South and South-west by *Stake Load*, also forms Part of the Fen Lands within the said Second District or Division which are authorized to be embanked and drained under the Provisions of the said recited Acts and this Act, and it is expedient that the said Portion of Land should be taken out of the Jurisdiction of the Commissioners for executing the said Act of the Forty-sixth Year of the Reign of His said Majesty: Be it therefore enacted, That the Portion of the said Fen Lands so described as aforesaid as being within such Two Boundaries or Jurisdictions shall from henceforth cease to be within or in any way subject to the Provisions of the said last-mentioned Act, or of the Commissioners for executing the same.

Expenses of Act.

XXVIII. And be it enacted, That all the Costs, Charges, and Expenses of and incidental to the obtaining and passing of this Act shall be paid by the said *Feltwell* Second District Commissioners out of any Money in their Hands, or out of the first Money they may receive, in preference to all other Payments whatsoever.

Saving the Rights of the Governor, &c. of Bedford Level.

XXIX. And be it enacted, That all the Estates and Interests, Rights, Powers, Privileges, and Authorities whatsoever, which by virtue of any Act of Parliament or otherwise are now vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, shall be in the said Governor, Bailiffs, and Commonalty, and the Governor, Bailiffs, and Conservators, as fully as if this Act had not been passed.

General Saving.

XXX. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and all and every other Persons, Bodies Politic, Collegiate, and Corporate, and their Heirs, Successors, Administrators, or Assigns, all such Estates, Rights, and Interests not prejudicial to the said Drainage as they had and enjoyed of, in, to, or out of or in respect of the Lands, Grounds, and Premises hereby intended to be drained and improved before the passing of this Act, or could or might have had or enjoyed in case the same had not been passed.

Public Act.

XXXI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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