ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. xxviii.

An Act for draining and improving *Grunty Fen* in the *Isle of Ely* in the County of *Cambridge*; and for maintaining the public Roads therein.

[15th *May* 1860.]

WHEREAS there is within the *Isle of Ely* in the County of *Cambridge* a certain Tract of Land called *Grunty Fen*, containing One thousand seven hundred and seventy-seven Acres or thereabouts, comprising a Tract of Common Ground containing One thousand three hundred and fifty Acres or thereabouts, called or known by the Name of *Grunty Fen Common*, and certain enclosed Farms, containing Four hundred and twenty-seven Acres or thereabouts, lying within the same Common, and called or known by the Names of *Grunty Fen* Farms: And whereas, under the Authority of "The Acts for the Inclosure, Exchange, and Improvement of Lands," *Grunty Fen Common* is now in the course of being enclosed, drained, and improved, and Roads are being set out over the same: And whereas, for the purpose of effectually draining the Land in *Grunty Fen*, it is expedient that a certain Drain called the "Crooked Drain," under the Jurisdiction of the Commissioners for executing Three several Acts, One passed in the Twenty-ninth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for draining and preserving certain Fen Lands in the* Isle of Ely *and County of* Norfolk *lying between the* Hundred Foot

River *and the* Ouse, *and bounded on the South by the hard Lands of* Mepall, Wicham, Wentworth, Wichford, Ely, Downham, *and* Littleport, *and for empowering the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens commonly called* Bedford Level *to sell certain Lands lying within the Limits aforesaid commonly called Invested Lands;* and Two several Acts, one being Thirty-ninth and Fortieth *George* the Third, Chapter Twenty-six, and the other Fiftieth *George* the Third, Chapter One hundred and ninety-four, for altering and extending the Powers of such first-mentioned Act, and which Commissioners are herein-after called "Commissioners for *Littleport* and *Downham* District," should from Time to Time be effectually improved, deepened, widened, cleansed, altered, and maintained, so as to provide a free Passage into and through the same Drain called the Crooked Drain, for the Waters collected upon or passing from *Grunty Fen*, and that a free Passage should be allowed for such Waters into the general Works of Drainage under the Jurisdiction of the Commissioners for *Littleport* and *Downham* District; and also that a certain Drain known as the *Grunty Fen* Catchwater Drain, and the Banks, Tunnels, Sluices, and Bridges connected therewith, heretofore made by the Commissioners for *Littleport* and *Downham* District or their Predecessors, should from Time to Time be effectually cleansed, repaired, and maintained so as to prevent the Water flowing into the Drain from passing into *Grunty Fen*: And whereas the Commissioners for *Littleport* and *Downham* District have consented to execute the Work herein-before mentioned, and allow a free Passage to the Waters collected upon or passing from *Grunty Fen* into the general Works of Drainage under their Jurisdiction, in consideration of their receiving anually the Sum of One hundred and one Pounds and Five Shillings: And whereas it is expedient that Provision should be made for the Payment annually of such Money, and for the deepening, widening, cleansing, altering, and maintaining of an Outfall Drain now called *Grunty Fen* Drain, consisting of a Portion of a Drain heretofore called *Grunty Fen* Drain, (and a short Drain now used in substitution of what was heretofore another Portion of *Grunty Fen* Drain,) and which *Grunty Fen* Drain leads from the Fen aforesaid to the Point where that Drain enters the Drain called the Crooked Drain, in or near to the Junction of the Parishes of *Coveney* and *Witchford* in the *Isle of Ely*; and also of all common public Ponds, Wells, Watering Places, Watercourses, Ditches, Drains, Embankments, Tunnels, Sluices, Bridges, Roads, and other public Ways and Works made, set out, or appointed, or to be made, set out, or appointed, within *Grunty Fen*, under the Authority of the Acts for the Inclosure, Exchange, and Improvement of Lands; but the same 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, as follows; (that is to say,)

I. In

Grunty Fen Drainage and Improvement Act, 1860.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "*Grunty Fen* Drainage and Improvement Act, 1860." Short Title.

II. The Provisions "with respect to the Recovery of Damages not "specially provided for, and of Penalties, and to the Determination of "any other Matter referred to Justices," of the Railways Clauses Consolidation Act, 1845, are incorporated with this Act, and the Expression "the Company" in those Provisions means, for the Purposes of this Act, the Committee. Part of 8 & 9 Vict. c. 20. incorporated.

III. In this Act the Term "Owners" includes all Persons interested in Lands in *Grunty Fen* who, if the Lands were let to a Tenant, would be entitled to receive the Rent from such Tenant, and whether such Persons are so interested in the Lands in their own Right or in right of their Wives, or as Trustees, Committees, or Guardians of Persons so interested, and also Allotment Wardens of Allotments set out or allotted for the Labouring Poor, under the Authority of "The Acts for the Inclosure, Exchange, and Improvement of Lands." As to the Term "Owners."

IV. On the Third *Thursday* in the Month of *October* next after the passing of this Act, or as soon after as conveniently may be, a Meeting of the Owners of Lands in *Grunty Fen* qualified to vote, called by Notice, signed by Two or more of such Owners, inserted twice in some Newspaper published or circulated in the County of *Cambridge*, fixing the Time and Place of such Meeting (the Second Notice to be so published not less than Seven nor more than Ten Days before the Day of Meeting), shall be held in the City of *Ely*, and at the Meeting the Owners present, by themselves or their Agents or Deputies, shall elect Five Persons, being respectively Owners of any Lands in *Grunty Fen*, to be a Committee (in this Act called "the Committee"), to continue in Office for One Year and until their Successors are elected. First Meeting to appoint a Committee.

V. On the Third *Thursday* in the Month of *October* One thousand eight hundred and sixty-one, and on the Third *Thursday* in that Month in every subsequent Year, or as soon after respectively as conveniently may be, a like Meeting in the City of *Ely*, called on like Notice, shall be held, and Members of the Committee shall be elected for One Year and until their Successors are elected. Subsequent Meetings for a like Purpose.

VI. The Persons qualified to attend the Meetings shall be the Owners of Ten Acres or upwards of Land in *Grunty Fen*, but Owners of Twenty Acres or upwards may attend by their Agents or Deputies: Provided always, that when any Land is vested in more than One Person, either as Trustees, Committees, Guardians, Allotment Wardens, or Persons otherwise interested, only One such Trustee, Committee, Guardian, Allotment Warden, or Person to be appointed by the other Trustees, Committees, Guardians, Qualification of Persons to attend Meetings.

Guardians, Allotment Wardens, or Persons in whom the Land is vested, shall, in respect of such Land, either in Person or by his Agent or Deputy, be qualified to attend those Meetings.

Votes to be given at Meetings.

VII. The Number of Votes which such Owners may give at such Meetings are as follows:

In respect of Ten Acres of Land or upwards an Owner may give in Person One Vote; in respect of Twenty Acres of Land or upwards an Owner may give in Person, or by his Agent or Deputy, One Vote; in respect of any Quantity of Land above Twenty Acres an Owner may give in Person, or by his Agent or Deputy, One Vote for every Twenty Acres.

Agents, &c. to be authorized in Writing to attend Meetings.

VIII. To authorize a Person to attend and vote as an Agent or Deputy of an Owner at a Meeting he must produce a written Authority from the Owner on whose Behalf he attends, to attend and vote in the Absence of such Owner, but no such Person shall act as Agent or Deputy for more than One Owner at a Time.

Quorum of Committee.

IX. The Quorum of a Meeting of the Committee shall be any Three Members, and any Three or more Members at a Meeting may execute the Duties of the Committee as effectually as if all the Members were present; and at every Meeting of the Committee every Member present shall have One Vote, except that in case of an Equality of Votes the Chairman shall have a Second or Casting Vote.

Power to appoint Officers.

X. The Committee may from Time to Time appoint an Officer to be called the Surveyor, and such other Officers as they think proper, to aid and assist them in the Execution of this Act, and may from Time to Time prescribe the Duties to be performed by any such Officer, and the Committee may remove any such Officer, and on any Vacancy may appoint another in his Stead, and allow any such Officer such Salary or Allowance as they think proper: Provided always, that before any Officer intrusted with the Custody or Control of Money shall enter upon his Office the Committee shall take sufficient Security from him for the faithful Execution of the Duties of such Office.

Committee not to be *personally* liable for Acts done by them.

XI. No Member of the Committee by being Party to or executing in his Capacity of such Member any Contract or other Instrument, or otherwise lawfully executing any of the Powers given to the Committee, shall be individually responsible for the same; and the Bodies or Goods or Lands of the several Members of the Committee shall not be liable to Execution of any legal Process by reason of any Contract or other Instrument so entered into, signed, or executed by them, or by reason of any other lawful Act done by them in the Execution of any of their Powers as Members of the Committee.

XII. In