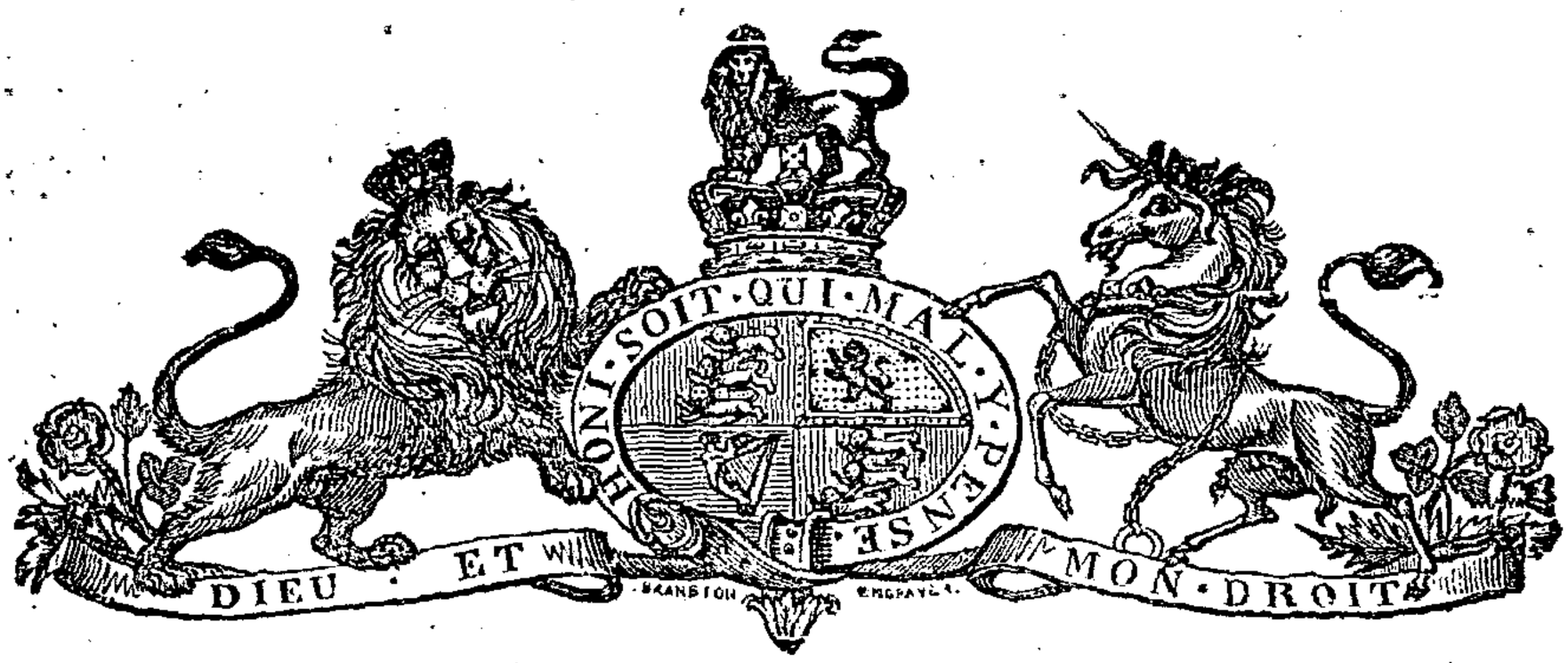


ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

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of Conservators of the Great Level of the Fens commonly called Bedford Level *to sell certain Fen Lands lying within the Limits aforesaid, commonly called* Invested Lands: And whereas an Act was passed in the Nineteenth Year of the Reign of King *George* the Third, intituled *An Act to explain, amend, and render more effectual an Act passed in the Seventh Year of His present Majesty's Reign, 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, *and in the County of 'Cambridge, between the River* Cam *otherwise* Grant, *West, and the 'Hardlands of* Bottisham, Swaffham Bulbeck, *and* Swaffham Prior, *'East; and for empowering the Governor, Bailiffs, and Commonalty of 'the Company of Conservators of the Great Level of the Fens com- 'monly called* Bedford Level *to sell certain Fen Lands lying within 'the Limits aforesaid, commonly called* Invested Lands: And whereas

19 G. 3. c. 34.

an Act was passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act for altering and enlarging the Powers of Two Acts of His present Majesty, 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, *and in the County of* Cambridge, *between the River* Cam *otherwise* Grant, *West, and the Hardlands of* Bottisham, Swaffham-Bulbeck, *and* Swaffham Prior, *East; and for other Purposes therein mentioned:* And whereas the Commissioners in the said Acts respectively mentioned have executed the several Works of Drainage authorized by the said Acts respectively, but the same require from Time to Time to be altered, repaired, amended, maintained, and kept in proper Order and Condition, for the Purpose of draining the said Fen Lands and Low Grounds: And whereas by reason of the Improvements and Alterations in the said Fen Lands and Low Grounds occasioned by Drainage and otherwise since the passing of the said recited Acts respectively the gradual Acre Taxes thereby authorized have ceased to be so just and equitable as an equal Acre Tax on all the said Fen Lands and Low Grounds liable to be rated and taxed as aforesaid would be, and it is desirable and reasonable that the said gradual Acre Taxes shall for the future cease to be imposed, and that in lieu thereof all the said Fen Lands and Low Grounds shall be rated and taxed equally by the Acre for the Purposes of this Act: And whereas by the said recited Acts respectively the Commissioners therein mentioned were authorized and empowered from Time to Time to borrow any Sum or Sums of Money which they should think necessary for the several Purposes of the said Acts respectively, but no Sum is limited in any or either of the said Acts as the total Amount which might be so borrowed as aforesaid, nor are sufficient Provisions therein contained for providing for the Repayment of the Monies borrowed within a reasonable Time, nor are the Commissioners

59 G. 3. c. 78.

sioners authorized to borrow any Sum or Sums of Money for the Purpose of paying off any Monies previously borrowed under or by virtue of the said Acts respectively: And whereas the said Commissioners have under and by virtue of the said Acts respectively, for the Purposes therein mentioned, borrowed on Mortgage divers Sums of Money, which still remain due and owing, amounting in the whole (exclusive of Interest) to the Sum of Twenty thousand nine hundred and sixty-three Pounds Five Shillings, the Particulars whereof are mentioned in the First Schedule to this Act annexed, and they have applied such Monies for the several Purposes of the said Acts respectively: And whereas it is desirable and expedient that the Commissioners should be empowered to borrow Money under the Authority of this Act, for the Purpose of paying off the Monies so borrowed and remaining unpaid as aforesaid, and for the several other Purposes of this Act, and that proper Provisions be made for the Repayment within a reasonable Time of all Monies to be borrowed as aforesaid, with Interest for the same, and that the Provisions of the said recited Acts respectively should be consolidated and amended; 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, as follows:

Short Titles.

I. That in citing this Act in any Act of Parliament, or in legal Instruments or Proceedings, it shall be sufficient to use the Expression, "The *Swaffham* Drainage Act, 1853."

Recited Acts repealed.

II. That the said recited Acts of the Seventh, Nineteenth, and Fifty-ninth Years of the Reign of King *George* III. shall be and the same are hereby repealed.

10 Vict. c. 16. incorporated with this Act.

III. That "The Commissioners Clauses Act, 1847," (with the Exception of the Clauses with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers or other like Class of Electors,) shall be incorporated with and form Part of this Act.

Saving of Acts done under repealed Acts.

IV. That all things done before the passing of this Act under or by virtue of the said Acts respectively hereby repealed shall be and remain as good, valid, and effectual, to all Intents and Purposes, as if the said Acts respectively had not been repealed.

Arrears of Taxes.

V. That all Arrears of Rates, Taxes, Charges, and Assessments under the said repealed Acts respectively, and all Forfeitures and Penalties

Penalties in respect thereof, unpaid at the Time of the passing of this Act, may be levied, recovered, and applied by the Commissioners for putting this Act in execution, in the same Manner (*mutatis mutandis*) as Rates, Taxes, Forfeitures, and Penalties under this Act, and as if the said Acts respectively had not been repealed.

Drainage Works, &c. to vest in Commissioners.

VI. That all Reaches, Lodes, Sluices, Ditches, Doors, Cuts, Catch-water Drains and other Drains, Tunnels, Dams, Headings, Outlets, Forelands, Stanches, Culverts, Banks, Drove Ways or Occupation Roads, Steam Engines or other Engines, Bridges, Machinery, Buildings, and other Works and Conveniences, and all Lands, Tenements, Goods, Chattels, and Effects, and all Estates, Easements, and Rights of a like Nature, vested in the Commissioners for putting in execution any of the said Acts hereby repealed, as such Commissioners, before and at the Time of the passing of this Act, shall vest in the Commissioners for putting in execution this Act, and their Successors, for the Purposes of this Act.

Saving Rights.

VII. Provided always, That nothing in this Act contained shall extend in any way to defeat, affect, or prejudice any Rights, Privileges, Liberties, Powers, Easements, Accommodations, or Exemptions, not specified and reserved in or otherwise expressly provided for by this Act, which under or by virtue of the said recited Acts or any of them were given, granted, continued, or reserved to or for the Benefit of any Persons or Corporations whose Estates, Properties, or Interests are, have been, or may be in any wise affected in or by the making of or maintaining or otherwise on account of the Works by the same Acts respectively authorized to be made and maintained, or to which such Persons or Corporations are or may be, or but for the Repeal of the said recited Acts would have been, otherwise entitled, under or by virtue of such Acts or any of them, and which Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions were subsisting or capable of being exercised at the Time of the passing of this Act, but all such Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions shall be and they are hereby declared to be as valid and effectual as if the said Acts were not repealed, and such several Persons and Corporations shall be entitled to, and shall have, use, and enjoy, the same Rights, Privileges, Liberties, Powers, Easements, Accommodations, and Exemptions, or such and so many of them as immediately before the passing of this Act they were entitled to have, use, and enjoy, as fully and effectually as if the said Acts had not been repealed, and shall and may have and be entitled to such or the like Powers and Remedies upon and against the Commissioners for putting in execution this Act, for securing the Possession, Use, and Enjoyment of such

Rights,

Rights, Privileges, Easements, Accommodations, and Exemptions, as under the Provisions of the said recited Acts respectively they had, or were or might have been entitled to, against the Commissioners for putting in execution the said repealed Acts or either of them, in case the said recited Acts had not been repealed, and all such Penalties, Damages, Monies, Costs, and Expenses as under the Provisions of the said recited Acts or any of them would or hereafter might have become payable to or recoverable by such Persons and Corporations as aforesaid of and from the Commissioners for putting in execution the said Acts hereby respectively repealed, in case the same Acts had not been repealed, shall and may be payable by and recoverable from the Commissioners for putting in execution this Act in such Manner and by Ways and Means (except when they shall be otherwise provided for by this Act) as the same are respectively made payable and recoverable under the Provisions of the said recited Acts respectively.

Grants, &c. to continue in force.

VIII. That all Acts of Parliament and Provisions of Acts, other than and except the Acts hereby specially repealed, and all Grants, Gifts, Conveyances, Leases, Assignments, Assurances, Purchases, Sales, Titles by Possession and otherwise, Covenants, Contracts, Agreements, Rents, Annuities, Debts, Mortgages, Bonds, Securities, Liabilities, Verdicts, Judgments, Decrees, Orders, Inquisitions, Processes, Awards, Consents, Approvals, Certificates, Notices, and other Matters and Things enacted, made, executed, entered into, acquired, obtained, issued, incurred, made payable, served, published, or given to, with, from, by, upon, in favour of, against, or in reference to the Commissioners for putting in execution the said Acts hereby repealed, or any or either of them, shall from and after the passing of this Act be as good, valid, and effectual, upon or in favour of or against or in reference to the Commissioners for putting in execution this Act as the same respectively were good, valid, and effectual immediately before the passing of this Act upon or in favour of or against or in reference to the Commissioners for putting in execution the said Acts hereby repealed, or any or either of them; and the Commissioners for putting in execution this Act shall be considered as identical with the Commissioners for putting in execution the said Acts hereby repealed respectively, in reference to all such Matters, as well as to all other Transactions of and Matters relating to the said Commissioners for putting in execution the said Acts hereby repealed respectively.

Actions, &c. not to abate.

IX. That no Action, Suit, Prosecution, Appeal or Notice of Appeal, Order or Decision of Justices, or Matter pending before Justices, Distress, Entry, Execution, Arbitration, or other Proceeding whatsoever, commenced, carried on, levied, given, or made by, against, or in reference to the Commissioners for putting in execution

the said Acts hereby repealed, or any or either of them, previously to the passing of this Act, shall abate or be discontinued, annulled, or prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect in favour of or against or in reference to the Commissioners for putting in execution this Act, in the same Manner in all respects as the same would have continued and taken effect in favour of or against or in reference to the Commissioners for putting in execution the said Acts hereby repealed, or any or either of them, if this Act had not been passed, and the Commissioners for putting in execution this Act shall be considered as identical with the Commissioners for putting in execution the said Acts hereby repealed respectively, in reference to the Matters aforesaid respectively.

Rights of Action saved.

X. That nothing in this Act contained shall be held to prejudice or affect any Right or Cause of Action or Suit or any Remedy which the Commissioners for putting in execution the said Acts hereby repealed, or any or either of them, had against any Person or Corporation, or which any Person or Corporation had against the said Commissioners, at the Time of the passing of this Act, but that all such Rights, Causes, and Remedies may be enforced or prosecuted by or against the Commissioners for putting in execution this Act, in like Manner and within the same Periods as the same might have been enforced or prosecuted by or against the Commissioners for putting in execution the said Acts hereby repealed, or any or either of them, if this Act had not been passed.

Books, &c. to be Evidence.

XI. That all Minute and other Books, Surveys, Maps, and other Documents whatsoever, and all certified and other authenticated Copies or Extracts of or from Books, Surveys, Maps, and other Documents, made, kept, certified, or authenticated under or in pursuance of the several Acts hereby repealed, or any or either of them, and which by any such Acts or otherwise were made Evidence, or authorized to be given in Evidence, shall, notwithstanding the Repeal of such Acts, be admitted as Evidence in all Courts of Law and Equity and elsewhere, as fully and effectually as the same respectively would or might have been admitted if this Act had not been passed.

Commissioners under recited Acts to continue to act for a limited Period.

XII. That, notwithstanding the Repeal of the said recited Acts respectively, the respective Commissioners appointed by virtue of or acting under the Authority of the said recited Acts respectively shall continue to act as Commissioners, and to have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into execution, as if nominated or elected under or by virtue of this Act, until the Third *Friday* in the Month of *September* next after the passing of this Act, or until other Persons shall have been appointed

appointed in the Place and Stead of such Commissioners respectively, pursuant to the Provisions of this Act.

Officers under recited Acts to continue till removed.

XIII. That, notwithstanding the Repeal of the said recited Acts respectively, all Clerks, Officers, and Persons appointed by virtue of or acting under the Authority of the said recited Acts respectively shall hold and enjoy their respective Offices and Employments, together with the Salaries and Emoluments thereunto annexed, until they shall be removed therefrom by the Commissioners; and all such Clerks, Officers, and Persons shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever as if they had been appointed by virtue of this Act.

Limits of this Act.

XIV. That the Limits of this Act shall comprise and incude certain Fen Lands and Low Grounds in that Part of the Great Level of the Fens called the *South Level* lying and being in the Township of *Swaffham Prior*, and in the several Parishes of *Fen Ditton*, *Horningsea*, *Quy*, *Bottisham*, and *Swaffham Bulbeck*, in the County of *Cambridge*, containing in the whole Seven thousand Acres or thereabouts, and which are bounded as follows; to wit, from the Ferry Place at *Clayhithe*, between the upper and lower Parts of the inclosed Grass Grounds at the Bottom of *Clayhithe Field* called *Hardridge* (most of them being divided about the Middle by Quicks and Hedges), to *Common Hardridge Gate*, and then along the Outring Ditch of *North Hill Closes* next *Hardridge Common* (including all the said Common) to the Ground formerly of *Thomas Panton* Esquire, but now of *Saint John's College*, lying by *Bottisham Load*, in the Occupation of *Thomas Banyard*, and along the Ditch on the South-west Side thereof to *Sheep North Hill Grounds*, and along the upper and lower Parts thereof, and of the inclosed Grass Grounds called the *Rough*, to the *Rough Common Gate*, and across from thence to the Outring Ditch of *Hardwalk Common*, and round the said Common, including the same, to *Hardwalk Gate* near a Place called *Grubble Hole*, and from thence along by the Run of Water at the End of the *Rush Grounds* next *Hog Green*, and along by the Outring Ditch on the West and South-west Sides thereof, and the Ground called the *Parson's Upper Lot*, and round by the Outring Ditch on the South Side of the said Lot and *Lug Ground*, including the same, to a Ground formerly of *Soame Jenyns* Esquire, and now of the Reverend *John Haviland*, and up the Outring Ditch on the West Side thereof to *Black Ditch Drove*, and from thence by the said Drove to the *Black Ditch*, and up the same Southward to the next Division Ditch on the Quay Side, and along the last

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mentioned Ditch to the Skirts of the Uplands of *Quy Hall*, and then round the said Skirts to the afore-mentioned Droveway leading from *Horningsea* to *Quy*, and so up the said Droveway to the low Droveway next the *Fen*, and then along the last-mentioned Droveway, and straight on from the upper End thereof, to *Bottisham Load Mill Dam*, and so by the North Bank of the said Mill Dam to *Dam Droveway*, and by the said Droveway and *Load Droveway* to *Bottisham Load*, and then along the South-west Bank of the said Load Eastward to the Common Gate below the Mill there, and so round the Skirts of the Uplands next the Outring Ditch of Lands belonging to the Vicar of *Bottisham*, formerly Part of *Bottisham Common*, to a certain Gate called *Cranney's Gate*, and from thence up *Cranney's Droveway* to the inclosed Pasture Grounds formerly of *Soame Jenyns* Esquire, and now of *Saint Bartholomew's Hospital*, called the *Holmes*, and then round the South-west Side of the said Grounds and Skirts of the other Inclosures there to *Docking Droveway*, and along the said Droveway to the Corner of the Eight Acres of inclosed Pasture next to *Bottisham Piece*, and from thence in a straight Line over the said Piece and the *One hundred Acre Droveway*, by the South End of Mr. *John Ellis*'s Forty Acres, to the Bridge called *Cow Bridge*, and so directly across Land belonging to the Parish of *Swaffham Bulbeck* (formerly Part of the Common) to the Ditch at the Corner of the *Abbey Closes*, by the *Fen Gate*, and then along the said Ditch or Run of Water to the *Croyl Gate*, and so by the said Run of Water under the Skirts of the Highland to *Low Bridge Hole* at the Bottom of *Swaffham Prior* Town, and from thence crossing the *Whiteway Droveway* along the Ditch at the South End of *Low Bridge Hole Dolver* to the *Driest Droveway*, and then by the Ditch or Run of Water at the Bottom of Mrs. *Allix*'s Meadow, and along the Skirts of the *Eakes*'s and other Highlands to the Skirts of the Hardlands of *Swaffham Prior Ditch Field*, and then along the Skirts of the Hardlands at the Edge of the said Field to the End of *Reach* Town next the Fen, and so by the Point of the Dock to an ancient Sewer called *Reach Old Load*, and then along the said Sewer to a certain Place called *Powt Hall*, and from thence along the present navigable Cut called *Burwell New Load* to the East Bank of the River *Cam* otherwise *Grant*, and by the said Bank to the Ferry Place at *Clayhithe* aforesaid.

Appointment of certain Commissioners.

XV. That the Lord or Lords, Lady or Ladies of the several and respective Manors of *Fen Ditton* with *Horningsea*, *Stow* with *Quy*, *Anglesea* in *Bottisham*, and *Mitchell Hall* in *Swaffham Bulbeck*, for the Time being, or in his, her, or their Absence their several respective Deputies appointed by Writing under their respective Hands, an Agent appointed by the Dean and Chapter of *Ely* under their Common Seal, being either One of their own Body or

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the Owner of Thirty Acres of Land liable to be taxed by virtue of this Act, the Bursar for the Time being of the College of *Saint John the Evangelist*, and One of the Three Bursars for the Time being of *King's College*, appointed under the Common Seal of the said College, and also the Bursar for the Time being of *Downing College*, all in the University of *Cambridge*, Two Persons, being Owners or Occupiers of Lands in each of the Parishes of *Fen Ditton*, *Horningsea*, and *Quy*, Four Persons, being Owners or Occupiers of Lands in the Parish of *Bottisham*, Three Persons, being Owners or Occupiers of Lands in the Parish of *Swaffham Bulbeck*, and Five Persons, being Owners or Occupiers of Lands in the Township of *Swaffham Prior*, and the several Persons to be chosen as herein afterwards directed, shall be Commissioners for putting this Act and all the Powers and Authorities herein-after contained into execution.

Appointment of Commissioners of Parishes and Township.

XVI. That every Person and Persons to be from Time to Time appointed a Commissioner or Commissioners for any or either of the respective Parishes or Township aforesaid shall be elected by the Person or Persons *bonâ fide* seised or possessed of Five Acres of Land situate within such Parish or Township, and taxed by virtue of this Act or the said Acts hereby repealed, or some or One of them, or by a Majority of such Persons present at any Meeting to be held for that Purpose pursuant to the Provisions of this Act; and no Person shall be so elected unless he be seised or possessed of Thirty Acres of Land situate within the Limits of this Act, and taxed by virtue of this Act or the said Acts hereby repealed, or some or One of them.

First Election of such Commissioners.

XVII. That the First Commissioners for each of the said Parishes and Township respectively shall be elected and chosen at a Meeting to be held for that Purpose on the First *Thursday* in the Month of *September* next after the passing of this Act, at Ten of the Clock in the Forenoon, at some convenient Place in that Behalf within the said Parishes or Township, to be appointed by the Commissioners or any Three of them, by Notice affixed on the principal outer Door of the Church of the said Parishes or Township on the *Sunday* next before the said Meeting, and the said Commissioners shall continue to be such Commissioners until the First *Wednesday* in *April* which will be in the Year One thousand eight hundred and fifty-five.

Subsequent Elections of Commissioners.

XVIII. That all such Persons as shall be *bonâ fide* seised or possessed of Five Acres of Land taxed by virtue of this Act shall and may meet in their respective Parishes or Township upon the First *Wednesday* in *April* One thousand eight hundred and fifty-five, and upon the First *Wednesday* in *April* in every Second succeeding

Year, at Ten of the Clock in the Forenoon of each of the said Days, at some convenient Place in that Behalf to be appointed by the Commissioners or any Three of them, by Notice affixed on the principal outer Door of the Church of the said Parishes or Township, on the *Sunday* next before the said Meeting, and shall and may choose, as they or the major Part of them so met, and there present, can agree, the same Number of Owners or Occupiers of Land in the Parish or Township in respect whereof they shall be so chosen as herein-before mentioned, qualified as aforesaid, to be Commissioners for putting this Act in execution, together with the other Persons herein-before described; and in case Neglect or Default shall be made in the choosing as aforesaid such Persons qualified as herein-before mentioned to be Commissioners in respect of any or either of the said Parishes or the said Township, that then the Persons who were Commissioners in respect of the said Parish or Parishes or Township where such Neglect or Default shall happen in the preceding Year shall continue Commissioners in respect of the same until other Commissioners shall be chosen as aforesaid in respect thereof upon the First *Wednesday* in *April* in the next or some succeeding Second Year; and in case only Part of such Number of Owners or Occupiers as is herein-before directed to be chosen in respect of any or either of the said Parishes or the said Township shall be so chosen, then it shall be lawful for the Owners or Occupiers who were Commissioners in the preceding Year in respect of the Parish or Parishes or Township where only Part shall be chosen as aforesaid, or the major Part of them, to determine which of the Commissioners in the preceding Years shall act in the then next Two Years with the new Commissioners chosen as aforesaid; and if they shall not determine the same within One Week next after such Choice of Part of such Number, then it shall be lawful for all the rest of the Commissioners appointed to put this Act in execution, at their then next Quarterly or Special Meeting to be held pursuant to the Provisions of this Act, or the major Part of them there present, to make such Determination as aforesaid; and in case any Person or Persons chosen to be Commissioner or Commissioners by any of the Ways or Means aforesaid shall die or become disqualified during the Time of his or their being a Commissioner or Commissioners as aforesaid, then it shall and may be lawful to and for the Persons so seised or possessed of Five Acres of Land as aforesaid lying in the Parish or Parishes or Township in respect whereof the Person or Persons so dying or becoming disqualified was or were Commissioner or Commissioners to meet at the respective Places above mentioned, Notice in Writing of such Meeting having been affixed on the Outside of the Door of the Churches respectively where the said Meeting is to be Five Days at least before such Meeting, and to choose an Owner or Owners qualified

as aforesaid to be Commissioner or Commissioners in the Place of the Person or Persons so dying or becoming disqualified.

Commissioners to hold Annual and Quarterly Meetings.

XIX. That the Commissioners shall hold an Annual Meeting on the Third *Friday* in the Month of *June* in the Year One thousand eight hundred and fifty-four, and in each subsequent Year, at such Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon as the Commissioners shall from Time to Time appoint, at the *Swan* Inn in *Bottisham*, or at some other Inn or Place within the Limits of this Act or within Eight Miles thereof, to be appointed by the Commissioners; and they shall also hold Quarterly Meetings between the same Hours on the Third *Friday* in the Months of *March*, *June*, *September*, and *December* in each Year, at the Place so appointed or to be appointed as aforesaid; but it shall not be necessary for them to hold any Monthly Meetings, notwithstanding anything in "The Commissioners Clauses Act, 1847," contained to the contrary; and at any of the said Meetings any Business and Matters authorized by this Act may be transacted; and any of such Meetings may be adjourned from Time to Time in the Manner mentioned in the Forty-first Section of "The Commissioners Clauses Act, 1847."

First Meeting of Commissioners.

XX. That the Commissioners shall hold their First Meeting on the Third *Friday* in the Month of *September* next after the passing of this Act, at the Hour of Eleven of the Clock in the Forenoon, at the *Swan* Inn in *Bottisham* aforesaid, or at some other Inn or Place within the Limits of this Act or within Eight Miles thereof, to be appointed by the Commissioners.

Not necessary to provide an Office, or require Attendance of Clerk, &c.

XXI. That, notwithstanding anything in "The Commissioners Clauses Act, 1847," contained to the contrary, it shall not be necessary for the Commissioners to provide any public or other Office or Offices for holding the Meetings and transacting the Business of the Commissioners, or for the Use of their Officers or otherwise, or to require the daily Attendance of their Clerk or any other Person duly authorized by them in that Behalf at any Office for that Purpose, or to publish any Notice of the Situation of the Office of the Commissioners, or of the Hours during which Attendance is given there.

Commissioners may maintain, &c. existing Drainage and other Works.

XXII. That it shall be lawful for the Commissioners to maintain and keep in repair, cleanse, scour, deepen, improve, and use for the Purpose of draining the said Fen Lands and Low Grounds respectively within the Limits of this Act all the Drainage and other Works herein-before mentioned, and vested in them by virtue of this Act, or such of them as they shall from Time to Time deem necessary and proper for any of the Purposes of this Act.

XXIII. That

Commissioners may make new Works.

XXIII. That it shall be lawful for the Commissioners, from Time to Time as they shall see Occasion, to make, erect, repair, and maintain, cleanse, scour, deepen, and improve, all such new Works of Drainage, Sluices, Ditches, Doors, Cuts, Catchwater Drains and other Drains, Tunnels, Dams, Headings, Outlets, Forelands, Stanches, Culverts, Banks, Droveways or Occupation Roads, Steam Engines and other Engines, Bridges Machinery, Buildings, and other Works and Conveniences as they may deem requisite for the Drainage and Improvement of the said Fen Lands and Low Grounds within the Limits of this Act or any Part or Parts thereof: Provided always, that no Cut to be made under the Powers of this Act shall be more than Eleven Feet in Width at the Bottom.

Satisfaction to be made for Damages.

XXIV. Provided also, That if the Commissioners shall make or cause to be made any Bank, Cut, Drain, Dam, Tunnel, Outlet, or other Work in or through any Lands or Grounds within the Limits aforesaid, or erect or make, or cause to be erected or made, any Engine or Engines or other Work thereupon, or shall take or use any Earth or Ground thereout, they shall pay such a reasonable Satisfaction to the Person or Persons having Right to the said Grounds in or through which such Bank, Cut, Drain, Dam, Tunnel, Outlet, or other Work shall be made, or whereupon such Engine or Engines or other Work shall be erected, or from whence such Earth or Ground shall be taken or used, for the Damage done thereby, as shall be agreed upon between the Commissioners and the Person or Persons having Right to such several Grounds, and if the Commissioners and such Persons cannot agree about the Value of such Damage, then as shall be assessed and judged reasonable by the Justices of the Peace, or the major Part of them, not interested in the Premises or in the Fen Lands to be drained by virtue of this Act, at any General or Quarter Session of the Peace to be held for the said County of *Cambridge* within Twelve Months after such Damage shall be done.

Not to affect Works done by the Bedford Level Corporation.

XXV. Provided always, That nothing herein contained shall authorize or empower the Commissioners to make any Order or Orders, or execute any Order or Work, or complete any Works already begun, or do any Act or Acts, contrary or in opposition to or in any respect varying from any Order or Orders made before or after the passing of this Act by the Governor, Bailiffs, and Conservators of the *Bedford Level* Corporation, touching or relating to any of the Rivers, Drains, Weirs, Ditches, Sluices, Tunnels, Bridges, or other Works, Banks, and the Front and Back Forelands thereof, 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

of the Great Level of the Fens called *Bedford Level*, or of the Governor, Bailiffs, and Conservators of the said Corporation.

For the Protection of Reach Lode.

XXVI. Provided also, That nothing herein contained shall authorize or empower the Commissioners to divert or turn any of the Waters of the *Bottisham* and *Swaffham Bulbeck Lodes*, or either of them, or of any Steam Engine, into *Reach Lode*, except with the previous Consent of the *Burwell* Drainage and Navigation Commissioners, in Writing signed by Three or more of the said Commissioners.

Notices of new Works to be given.

XXVII. That when it is intended or proposed to make any new Bank, Sluice, Cut, Drain, Tunnel, Outlet, Heading, Road, or other Work, Notice of the Time and Place of holding the Meeting at which any such new Work is intended or proposed to be done, signed by any Five or more of the Commissioners, and specifying the Work or Works intended or proposed to be done, shall be given, by advertising the same twice previously to such Meeting in some or One of the Newspapers printed and usually circulated in the County of *Cambridge*.

Surveys.

XXVIII. That any Survey or Admeasurement of all or any of the Fen Lands and Low Grounds within the Limits of this Act, made under or by virtue of the said Acts hereby repealed, or any or either of them, shall and may be used by the Commissioners for the Purposes of this Act, in the same Manner as if the same had been made under or by virtue of this Act; and the said Commissioners may cause to be made all such further or other Surveys of the said Fen Lands and Low Grounds or any Part thereof as they may from Time to Time think fit.

Watermarks.

XXIX. That the Commissioners shall maintain and keep or erect or put down at such Place or Places within the Limits of this Act as they from Time to Time shall think proper, sufficient Posts or other Marks as Watermarks, for the Purpose of more readily discovering Obstructions to the Course of the Water in the public Drains; and in case any Person or Persons shall at any Time pull up, deface, injure, or destroy such Watermarks or any of them, every such Person or Persons so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Penalty for destroying Works.

XXX. That every Person who shall wilfully or designedly damage any Bank, Sluice, Ditch, Door, Drain, Tunnel, Dam, Heading, Outlet, Floodgate, Foreland, Stanch, Culvert, Cut, Steam Engine or other Engine, Bridge, Machinery, or other Work, already made or hereafter to be made, or in the Course of being made or used, for any of the

Purposes of this Act, shall be liable to a Penalty not exceeding Twenty Pounds for every such Offence, and shall also make full Compensation to the Commissioners for all Damage so done; and such Compensation shall be recoverable by Action at Law in any Court of competent Jurisdiction.

Penalty for making Watering Places, &c. in any of the Drains.

XXXI. That if any Person or Persons shall, without the Consent in Writing of the Commissioners first had and obtained for that Purpose, at any Time make or cause to be made any Watering Place or Places of Access for Cattle to drink in any of the public Drains made or to be made or maintained by virtue of this Act, or shall continue to use any such Watering Place after Fourteen Days Notice in Writing to the contrary thereof given to him, her, or them by Writing under the Hand of any One of the Commissioners or their Clerk, every such Person or Persons so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Penalty on Persons driving Carts, &c. on Banks.

XXXII. That if any Person shall drive or cause to be driven any Waggon, Cart, or other Carriage upon any Bank which shall be maintained or made by virtue of this Act (unless such Bank hath been of Right used as a Cartway, or be made upon a common Droveway, and a sufficient Passage shall not be left along the Side of the said Bank), every Person so offending, being thereof convicted before Two Justices of the Peace for the said County of *Cambridge* on the Oath of One or more credible Witness or Witnesses, or on the Confession of the Party offending, shall forfeit for every such Offence a Sum not exceeding Ten Shillings to the Commissioners, to be applied as aforesaid, and to be levied by Distress and Sale of the Goods and Chattels of such Offender, by Warrant under the Hands and Seals of the said Justices before whom such Conviction shall be made.

Proprietors of Gateways to have Tunnels on Bridges over Drains.

XXXIII. That where any Gate is or shall be placed against any Drain now made or hereafter to be made by virtue of this Act, or against any other Drain whatsoever belonging or adjoining to any of the said Fen Lands or Low Grounds, the Proprietor of such Gate, or of the Lands whereon the same is or shall be erected, shall be and is hereby required, at his own proper Costs and Charges, within One Month from the Time of passing this Act, or from the Time any such Gate shall hereafter be placed in the Place where such Gate shall be placed, to make or cause to be made a competent and sufficient Tunnel or Bridge over the said Drain, of a Size equal to the Necessity of the Case, so that the Water may freely pass through or under the same, and shall from Time to Time for ever afterwards, at his own Costs and Charges, make and keep open and in good Repair the said Tunnel or Bridge; and in case such Proprietor shall

shall neglect or refuse to make such Tunnel or Bridge as aforesaid, within the Time herein-before limited for the Purpose, or such Proprietor or his Tenant shall neglect or refuse, after such Tunnel or Bridge shall be made as aforesaid, to make and keep the same open and in good Repair, within the Space of Fourteen Days next after Notice for that Purpose shall be given by Order in Writing under the Hands of any One of the Commissioners or their Clerk, to such Proprietor, or left at his last or usual Place of Abode, or with or for the Tenant in possession of the said Premises, then and in every or any such Case the Person so neglecting or refusing shall for every such Offence forfeit and pay to the Commissioners any Sum not exceeding the Sum of Five Pounds, as the Commissioners shall order and direct; and in every or any such Case it shall and may be lawful for any Two of the Commissioners to make and keep open and in good Repair such competent and sufficient Tunnel or Bridge, immediately after the Expiration of such Notice so given for that Purpose; and such Proprietor shall pay the said Penalty, and also reimburse and pay to the Commissioners all such Costs, Charges, and Expenses as shall attend the making of such competent Bridge or Tunnel, and keeping the same from Time to Time open and in good Repair; and such Penalty, Costs, Charges, and Expenses shall and may be recovered by the Commissioners in such and the same Manner as the Taxes hereby directed or authorized to be raised are or may be recoverable.

Penalty on neglecting to rode and scour out Ditches.

XXXIV. That if the Owner or Occupier of any of the Fen Lands or Low Grounds lying within the Limits of this Act to which any Droveway, Ditch, Outring Ditch, Division Ditch, or other Ditch or Ditches whatsoever doth or shall belong, shall neglect or refuse sufficiently to rode, scour, cleanse, open, or repair the same, or to make such Ditch of a sufficient Width and Depth, to the Satisfaction of the Commissioners, for the Passage of the Water, after Seven Days Notice in Writing under the Hand of any One of the Commissioners or their Clerk given to him or left at his usual or last Place of Abode from Time to Time for that Purpose, specifying the particular Ditch so required to be roded, scoured, cleansed, opened, or repaired, and the Width and Depth such Ditch should be of, he shall for every such Neglect or Refusal forfeit and pay to the Commissioners any Sum not exceeding Two Shillings for every Rod so neglected to be roded, scoured, cleansed, opened, deepened, and widened as aforesaid; and it shall be lawful from Time to Time for the Collector, Receiver, Surveyor, or other Officer or Person employed by the Commissioners for that Purpose, to cause such Ditch, at the Expense and Charge of such Owner or Occupier, to be roded, scoured, cleansed, opened, widened, and deepened of a sufficient Depth and Width for the free Passage of the Water, at the Discretion of such Collector,

Collector, Receiver, Surveyor, or other Officer or Person, and also, where any Way or Ways shall have been made over any Ditch or Ditches without a sufficient Tunnel, to cause such Way to be taken up, and such Ditch to be made of a proper Width and Depth, with a sufficient Tunnel therein, at the Discretion of such Collector, Receiver, Surveyor, or other Officer or Person, at the Expense and Charges of such Owner or Occupier, and by Warrant or Precept under the Hands and Seals of Two or more of the Commissioners to levy such Penalty, and also all such Charges and Expenses, upon such Owner or Occupier, by Distress and Sale of his, her, or their Goods, Chattels, and Stock, wherever the same shall be found, and all such Penalties shall be applied for the Purposes of this Act; and if any Person, after such Ditch or Tunnel shall have been so roded, scoured, cleansed, opened, repaired, widened, and deepened by the said Collector, Receiver, Surveyor, or other Officer or Person as aforesaid, shall again fill, stop up, or in any Manner obstruct any such Ditch or Tunnel, or cause, permit, or suffer the same to be in any Manner filled, stopped up, or obstructed, for the Space of Three Days, every such Person so offending, and being thereof convicted before any Two Justices of the Peace for the County of *Cambridge*, upon the Oath of any One Witness, or by the Confession of the Party or Parties, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be applied for the Purposes of this Act.

Power to destroy Moles and other Vermin.

XXXV. That the Commissioners shall have full Power and they are hereby authorized to destroy all such Moles and other Vermin as shall or may be found in or about the Fen Lands and Low Grounds within the Limits of this Act, and also in and about the Banks adjoining or lying near thereto, and for that Purpose to employ such Person or Persons at such Wages and Salaries as they shall think proper, and that they, and such Person or Persons as they shall so employ, shall and may lawfully enter into and upon the said Fen Lands and Low Grounds and Banks, or any or either of them, for that Purpose.

Commissioners empowered to purchase Land, and erect Toll Houses, and rent Cottages for Residence of Collectors.

XXXVI. That it shall be lawful for the Commissioners, out of the Monies to be raised by virtue of this Act, to purchase such Pieces or Parcels of Land as may appear to them necessary for the Purpose of erecting thereon a suitable Cottage or Dwelling House, or suitable Cottages or Dwelling Houses, for the Residence or Residences of the Collector of the Tolls authorized to be taken by virtue of this Act, and thereon to erect such Cottage or Dwelling House, Cottages or Dwelling Houses accordingly, not exceeding One Rood for each such Cottage or Dwelling House, or it shall be lawful for the Commissioners to hire any Cottage or Cottages for such Purposes, at such annual

Rent

Rent and for such Term as they shall think proper, which Cottage or Cottages (whether the same shall be absolutely the Property of the said Commissioners, or only hired by them,) shall be used only as the Residence or Residences of the Collector or Collectors of the Tolls for the Time being; and if any such Collector or Collectors or any other Person or Persons shall refuse to deliver up the Possession of such Cottage or Cottages, with the Buildings and Appurtenances thereto belonging, which he or they enjoyed in right of his or their Appointment to the Office of Collector, within Seven Days after Notice in Writing from any Two of the Commissioners for that Purpose given to him or them or left at his or their House or Houses, or if the Wife or Family of any such Collector or other Person or Persons whosoever shall refuse to deliver Possession of such Cottage or Cottages, with the Buildings and Appurtenances, after having received such Notice aforesaid, then and in any or either of the said Cases it shall be lawful for any Justice of the Peace for the County of *Cambridge*, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Cottage or Cottages and Premises in the Daytime, and to remove the Persons who shall be found therein, together with the Goods, out of such Cottage or Cottages and Premises, and to put in possession thereof such Person or Persons as the Commissioners shall from Time to Time direct and appoint.

Commissioners may take Earth from Grounds called Bouts.

XXXVII. That for the better procuring Earth proper for the repairing the Banks and other Works within the Limits of this Act, it shall and may be lawful for the Commissioners and their Officers and Workmen to take and use any Quantity of Earth from the Grounds called the Bouts or Washes (so that they do not take the same at a less Distance than Five Yards from the Banks of the River) as may be thought necessary by the Commissioners for the repairing of the said Banks, making such reasonable Satisfaction to the Person or Persons entitled to the same for the Damages occasioned thereby as shall be agreed upon between the Commissioners and the Person or Persons entitled as aforesaid; and if the Commissioners or such Person or Persons cannot agree as to the Amount of such Damage, then the same shall be settled, assessed, and determined in manner after mentioned.

Power to Commissioners to enter upon Lands, and dig, &c., making Satisfaction to Owners.

XXXVIII. That the Commissioners shall have full Power and Authority to enter upon the Lands and Grounds within the Limits of this Act of any Person or Persons adjoining or near to any of the Banks, Sluices, Cuts, Drains, Dams, Tunnels, Outlets, Headings, Roads, or other Works which they the said Commissioners are hereby directed or authorized to maintain, make, or do, and to take and dig therefrom, and to do such other Acts as may be necessary to carry into effect the Purposes of this Act, making Satisfaction to the Party or Parties injured thereby;

thereby; and for that Purpose the Commissioners are hereby empowered to agree with the Proprietors of and Persons interested in any Lands, Tenements, or Hereditaments which the said Commissioners shall judge necessary to be dug, cut, taken, used, or entered upon for making any Banks, Sluices, Cuts, Dams, Tunnels, Outlets, Headings, Roads, or other Works by this Act directed or authorized to be maintained, made, or done, for the Purchase of such Lands, Tenements, and Hereditaments, or for the Recompence to be made to such Proprietors or Persons interested for the Damages they may sustain thereby, and also to settle and ascertain in what Proportion the Sum or Sums so agreed for shall be paid to the several Persons interested in the Premises.

Provisions of 8 and 9 Vict. c. 18. incorporated with this Act.

XXXIX. That "The Lands Clauses Consolidation Act, 1845," (with the Exception of the Clauses with respect to the Purchase and taking of Lands otherwise than by Agreement,) shall be incorporated with and form Part of this Act.

Power to assess an equal Acre Tax not exceeding 6*s.* per Acre in each Year.

XL. That in order to raise Money for carrying into effect the Provisions of this Act it shall be lawful for the Commissioners, at their First or Second Quarterly Meeting to be held next after the passing of this Act, and afterwards yearly and every Year at any Quarterly Meeting to be holden by them, or at any Special Meeting of which public Notice shall be given by advertising the same twice in some Newspaper printed or usually circulated in the County of *Cambridge*, to assess, rate, tax, and charge all and singular the said Fen Lands and Low Grounds within the Limits of this Act, and all and every the respective Owner and Owners, Occupier and Occupiers of such Fen Lands and Low Grounds, with an equal Acre Tax of any Sum which the Commissioners may consider necessary, not exceeding Six Shillings *per* Acre, and so in proportion for any greater or less Quantity than an Acre; and every such Tax shall become due and payable at the End of One Month next after the same shall be charged and assessed, and shall be paid to the Receiver, Collector, or Treasurer for the Time being to be appointed by the Commissioners at such Place or Places and in such Manner as the Commissioners shall direct or appoint for that Purpose; and that public Notice of the Times and Places appointed for the Payment of such Rates and Taxes respectively shall be given by advertising the same twice in such Newspaper usually circulated in the County of *Cambridge* as the Commissioners shall from Time to Time direct; and the said Rates and Taxes shall be applied in manner herein-after mentioned.

Parts of Poor's Commons not to be taxed.

XLI. That it shall not be lawful for the Commissioners to assess, rate, tax, or charge with any such equal Acre Tax as aforesaid all or any of the Commons from which One Sixth Part was taken and set out by Metes and Bounds as herein-after mentioned, or any Part thereof respectively,

respectively, save and except so much and such Parts or Portions thereof as, having been taken and set out as aforesaid, shall have been sold and disposed of pursuant to the Provisions of this Act.

Equal Acre Tax not to be less than 5*s.* per Acre in any Year until 1,500*l.* be paid to the Burwell Drainage and Navigation Commissioners.

XLII. Provided always, That so long as the Sum of One thousand five hundred Pounds mentioned in an Agreement with the *Burwell* Drainage and Navigation Commissioners, dated the 1st Day of *June* 1842, or any Part thereof, shall remain unpaid, it shall not be lawful for the Commissioners to assess, rate, tax, or charge the said Fen Lands and Low Grounds, or the said Owners and Occupiers respectively, with an equal Acre Tax of less than Five Shillings *per* Acre in any One Year, and so in proportion for any greater or less Quantity than an Acre.

Equal Acre Tax not to be less than 5*s.* per Acre in any Year until all Mortgages prior to this Act are paid off, or by Consent.

XLIII. Provided also, That so long as any of the Monies borrowed before the passing of this Act under or by virtue of the said recited Acts or either of them, or any Interest in respect thereof, shall remain unpaid, it shall not be lawful for the Commissioners to assess, rate, tax, or charge the said Fen Lands and Low Grounds, or the said Owners and Occupiers respectively, with an equal Acre Tax of less than Five Shillings *per* Acre in any One Year, and so in proportion for any greater or less Quantity than an Acre, unless such Rate or Tax be made with the Consent in Writing of the Persons or Person for the Time being entitled to all the Principal Monies so borrowed and remaining unpaid as aforesaid, which Consent may be in the Form marked (B.) in the Second Schedule to this Act annexed, or to that Effect.

Equal Acre Tax not to be less than 5*s.* per Acre in any Year until all Mortgages after this Act are paid off, or by Consent of the Persons entitled to Two Thirds remaining unpaid.

XLIV. Provided also, That so long as any of the Monies borrowed after the passing of this Act under or by virtue of any of the Powers or Authorities herein contained, or any Interest in respect thereof, shall remain unpaid, it shall not be lawful for the Commissioners to assess, rate, tax, or charge the said Fen Lands and Low Grounds, or the said Owners and Occupiers respectively, with an equal Acre Tax of less than Five Shillings *per* Acre in any One Year, and so in proportion for any greater or less Quantity than an Acre, unless such Rate or Tax be made with the Consent in Writing of the Persons or Person for the Time being entitled to Two Thirds of all the Principal Monies so borrowed and remaining unpaid as aforesaid, which Consent may be in the Form marked (C.) in the Second Schedule to this Act annexed, or to that Effect.

Form of Rates.

XLV. That the Rates, Taxations, or Assessments to be made in pursuance of this Act may be in the Form marked (A.) in the Second Schedule to this Act annexed, or as near thereto as the Circumstances of the Case will admit of.

XLVI. That

Rates may be amended.

XLVI. That it shall be lawful for the Commissioners or any Three of them from Time to Time to amend any Assessment, when it shall appear to them that any Person is charged in Error in such Assessment, or any Lands which ought to be included therein are omitted therefrom, or any Excess in Quantity is charged therein; and no such Amendment shall be held to avoid such Assessment, or the Rates or Taxes thereby made payable; and every Assessment when so amended shall have the same Operation and Effect as if it had originally been made in its amended Form.

Penalty on Nonpayment of Taxes.

XLVII. That in case any Rates or Taxes authorized by this Act to be charged by the Commissioners shall not be duly paid to the Persons authorized to receive the same within One Month after the several Times appointed by the Commissioners for that Purpose, every Person failing to pay the same shall forfeit to the Commissioners the Sum of Three Shillings and Fourpence for every Twenty Shillings of such Rates or Taxes not paid as aforesaid, and so in proportion for any greater or less Sum than Twenty Shillings, which Penalty shall be recovered in the same Manner as the several Rates or Taxes are hereby directed to be recovered.

Tenants to pay Taxes, and deduct them from their Rents.

XLVIII. That all the Occupiers of the several Lands and Grounds which shall be taxed and charged by virtue of this Act shall pay all such Sums of Money as shall be so assessed, taxed, or charged in respect of the several Lands and Grounds in their respective Occupations, and may retain the same out of the Rents, and the Landlords of such Lands and Grounds shall allow the same to be retained out of the Rents; and every such Occupier shall be discharged of so much Money as the said Tax so paid by him shall amount to, as if the same had been actually paid to his Landlord, but not of any Penalties which may have been incurred by such Occupier for Nonpayment thereof.

No beneficial Lessee to be allowed to deduct Taxes.

XLIX. Provided always, That no Occupier of any Lands or Grounds charged with any such Rates or Taxes imposed by this Act who shall be [the Lessee thereof under any beneficial Lease, or under any Lease or Agreement containing any express Stipulation that the Lessee or Tenant shall pay the Drainage Rates and Taxes, shall be entitled to deduct the Amount of the said Rates or Taxes out of the Rent reserved by any such Lease or Agreement.

Creditors not to deduct Taxes for Interest Monies.

L. That no Person being a Creditor on the said Rates and Taxes imposed by this Act, and being a Proprietor or Occupier of any of the Lands or Grounds to be taxed by virtue thereof, shall at any Time set off any Part of the Interest payable to him as such Creditor as aforesaid from any Sum of Money which shall be payable by him for such Rates or Taxes.

LI. That

Power of Distress in case of Non-payment of Taxes.

LI. That if any Person, being the Occupier of any Lands or Grounds rated or taxed or assessed by the Commissioners by virtue of this Act, shall refuse or neglect to pay the Money so rated, taxed, or assessed within One Month after the respective Times of Payment to be appointed by Notice in pursuance of this Act, at such Place as shall be specified in such Notice, it shall be lawful for the Collector or Receiver or any other Person authorized by any Warrant or Precept under the Hands and Seals of the Commissioners or any Five of them (which Warrant or Precept such Commissioners are hereby empowered from Time to Time to grant as Occasion may require, whether assembled at a Meeting or not,) to enter into all or any Part of the Fen Lands or Low Grounds hereby directed or authorized to be taxed and charged as aforesaid for which such Rates, Taxes, and Penalties shall be due and owing or payable, and to levy such Sum of Money so rated, taxed, or assessed, and unpaid, and all Arrears thereof, and all Penalties and Forfeitures in respect thereof, by Distress and Sale of the Goods and Chattels which shall be found on the said Lands and Premises, and in case no sufficient Distress shall be found on the said Lands and Premises it shall be lawful for such Collector or Receiver or other Person, by virtue of such Warrant or Precept as aforesaid, to make such Levy by Distress and Sale of any Goods and Chattels belonging to such Person which shall be found upon any other Lands or Tenements lying within the Limits of this Act, rendering the Overplus (if any), on Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of taking or making any such Distress and Sale.

Lands to remain liable if no Distress found.

LII. That in case any of the Lands and Grounds authorized to be rated, taxed, and assessed by the Commissioners by virtue of this Act shall at any Time hereafter be unoccupied, so that no sufficient Distress can be found for levying the said Rates, Taxes, and Assessments, then the Lands and Grounds chargeable therewith shall always remain a Security for Payment thereof, and all Goods and Chattels which shall at any Time thereafter be found thereon may be distrained and sold in manner aforesaid, until all Arrears of the said Rates, Taxes, and Assessments, and the Charges of such Distress, shall be fully paid and satisfied.

If Lands, &c. unoccupied for 12 Months, the same may be let for the Payment of Taxes.

LIII. That if any Part of the said Lands and Grounds shall be unoccupied for the Space of Twelve Calendar Months together, and no such Distress as aforesaid can be had thereon for levying the Rates, Taxes, and Assessments due in respect of the same, it shall be lawful for the Commissioners or any Five of them, at any of their Meetings, to let so much of the said Lands and Grounds upon which any such Rates, Taxes, and Assessments shall be so in arrear as they shall judge sufficient, for any Terms of Years not exceeding Three Years each Letting, at the best Rent and upon the best Terms and Conditions

Conditions which can under the Circumstances be reasonably had or gotten for the same, and to apply the Rents arising therefrom in Discharge or Payment of such Rates, Taxes, and Assessments, and of such other Expenses as the Commissioners shall incur in consequence of any Proceedings for the Recovery thereof.

Schedule of such Lands to be affixed to Church Doors.

LIV. That the Commissioners shall previously to letting any such Lands cause a Schedule, specifying the Lands so to be let for Rates, Taxes, and Assessments in arrear, and the Time and Place appointed for such letting, to be affixed on the principal outer Door of the Church or Churches of the Parish or Parishes in which such Lands are situate, on Two successive *Sundays* before the Day appointed for the letting of such Lands, and also cause a like Schedule to be inserted in some Newspaper printed or usually circulated in the County of *Cambridge* Three Weeks at least before the Time appointed for such letting.

Notices of letting to be given.

LV. That the Commissioners shall cause Twenty-one Days Notice in Writing, signed by their Clerk or Treasurer for the Time being, of their Intention to let such Lands, to be given to the Owners or Proprietors of the same, or left at their last or usual Places of Abode, if the same shall be in *England*, and shall be known.

Form of Warrant of Distress.

LVI. That the Warrant of Distress for the Recovery of any Rate, Tax, or Sum of Money payable under the Provisions of this Act may be in the Form marked (D.) in the Second Schedule to this Act annexed, or to the like Effect; and any Demand or Summons shall not be necessary previously to executing such Warrant.

As to Tolls payable on the East Bank of the River Grant.

LVII. That from and after the passing of this Act there shall be paid to the Commissioners and their Successors, or their Toll Gatherer for the Time being, at any Place or Places they shall appoint on the East Bank of the River *Grant* between *Clayhithe* and *Upware Sluice*, the Sum of One Shilling for every Horse, Mule, Ass, or other Beast attending upon or going in or with any Boat or Boats, Lighter or Lighters, whether such Horse or other Beast shall at the Time of passing by or through the Toll Gate or Place fixed on by the Commissioners for collecting the same be actually haling or not; and for every other Horse, Mule, Ass, or other Beast travelling on the said Bank, Twopence; for every Drove of Neat Cattle, One Shilling *per* Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Sheep or Lambs, Hogs or Pigs, Eightpence *per* Score, and so in proportion for any greater or less Number; the said Toll so paid to be applied to the Maintenance and Support of the said Bank, and for the other Purposes in this Act mentioned; and in case of Neglect or Refusal of Payment of the said Tolls on Demand,

Demand, the Collector or Collectors thereof to be appointed by the Commissioners are hereby authorized and required to seize and detain any Horse or Horses, Beast or Beasts, or Boat, Lighter, or Vessel wherein the same are carried, on which such Toll is hereby imposed, and them or any of them from thence to remove, take, seize, and distrain, and also to take, seize, and distrain any Horse or Beast liable to such Toll as aforesaid haling or passing on the said Bank; and in case the said Toll for Nonpayment of which such Horse, Beast, Boat, Lighter, or Vessel are taken shall not be paid within Three Days after such Seizure, it shall and may be lawful to and for the said Collector or Collectors to sell such Horse, Beast, or Boat, Lighter, or Vessel, so seized and distrained as aforesaid, and out of the Monies arising from such Sale to deduct and retain the said Toll so neglected or refused to be paid, and the reasonable Costs and Charges attending the Seizure, Detention, and Sale thereof as aforesaid, rendering the Overplus (if any there be), on Demand, to the Owner of such Horse, Beast, or Boat, Lighter, or Vessel respectively.

Penalty on evading the Tolls.

LVIII. That if any Waterman or other Person having any Boat or Boats, Lighter or Lighters, with One or more Horse or Horses or other Beast or Beasts, shall take off or cause to be taken off or removed from or out of the said Boat or Boats, Lighter or Lighters, any such Horse or other Beast, with Intent to evade the said Tolls or any Part thereof, or, after having passed by any Toll Gate or Turnpike to be erected by virtue of this Act, or Place fixed on by the Commissioners for collecting the said Tolls, shall put on, add to, or use any other Horse or Beast for haling such Boat or Boats, Lighter or Lighters, than he shall have paid the Toll for, or shall forcibly pass through or over such Toll Gate or Turnpike or Place fixed as aforesaid, with any Horse or Beast, without paying the Tolls hereby directed to be paid, every Person so offending shall for every such Horse or other Beast forfeit and pay to the Commissioners the Sum of Forty Shillings for every Offence.

Exemption from Tolls.

LIX. Provided always, That no Toll shall be demanded or taken of any Person at any Bar, Gate, or Place erected and appointed or to be erected and appointed by virtue of this Act, for any Horse or other Beast haling any Boat or Boats or Vessel employed in the carrying Materials for the Repairs of the Banks within the Limits of this Act, or in roding or drawing any Machine for deepening or cleansing the Rivers adjoining the said Fen Lands or Low Grounds or any Part thereof, nor for any Horse which shall be ridden by any Proprietor or Occupier of any Part of the said Fen Lands and Low Grounds within the Limits of this Act, or his Servant, going or returning to or from any Part of the said Fen Lands or Low Grounds, or by any Member of the Corporation of *Bedford Level*, their Officers and Servants,

Servants, upon the actual Business of the said Corporation, or by any Officer which shall be appointed by the said Commissioners to superintend the Works thereof, nor for any Beast, Sheep, or other Cattle going to or returning from Pasture within the Limits of this Act, being the Property of an Occupier of any of the said Fen Lands or Low Grounds, and which have been or are immediately intended to be depastured upon such Lands; and if any Person or Persons shall claim or take the Benefit of any such Exemption as aforesaid, not being entitled thereto, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Tolls at Bottisham and Swaffham Sluices and Reach Lode.

LX. That from and immediately after the passing of this Act there shall be paid to the Commissioners, or the Collector by them appointed, at any Place or Places which they shall at any of their Meetings fix on and approve by or near the respective Lodes of *Bottisham*, *Swaffham*, and *Reach*, for every Chaldron of Coals, for every Chaldron of Cinders, for every Two Chaldron of Lime, for every Ton Weight of Clunch Stone, for every One hundred of Battens, for every Quarter of a Hundred of Three or Four Inch Deals, for every Half Hundred of other Deals, for every Half Hundred of Fir Spars not exceeding Eighteen Feet in Length, for every Ton of Timber, for every Five hundred of Bricks, for every One thousand of common Tiles, for every One thousand of Pan or other Tiles, for every Five hundred of Pavements, for every Four thousand of Turf, for every Five hundred of Sedges, for every One thousand of Reed, for every Ten Comb of Wheat, Rye, Mesledine, Beans, Pease, or Seeds, for every Twenty Comb of Oats, Barley, or Malt, for every Ton of Iron or Lead, for every Hogshead of Wine or Cyder, for every Two Barrels of Beer, Pitch, or Tar, for every Eight Gallons of Rum, Brandy, Gin, or other Spirituous Liquors, for every Four Crates of Glass, for every Eight Gross of Bottles, for every Four Boxes of Glass, for every Two Packs or Twenty Tod of Wool, for every Two Pockets of Two Hundredweight of Hops, for every Sixty Bunches of Fir Lath, for every Forty Bunches of Oak Lath, for every Sixteen thousand of Spits, for every Sixteen hundred of Splints, for every Eight Dozen of Hurdles, for every Eight hundred of Poles, for every Ton Weight of Manure going out of the District, and for every Ton Weight of Salt, Sand, or other Goods, Wares, or Merchandise whatsoever, although not herein-before mentioned, the Sum of Eightpence, and so in proportion for every greater or less Quantity or Weight of the said Goods passing on or being navigated through the said Sluices or Lodes, which said Sum and Sums shall and may be demanded and taken in the Name of and as a Toll or Duty for the Repairs of the respective Banks and Lodes only, and shall be paid by every Person who shall carry or convey any of the Articles herein-before particularized, or any other Goods, Wares, and Merchandise whatsoever;

ever; and in case of Neglect or Refusal of Payment of the said Toll or Duty on Demand, the Collector or Collectors thereof to be appointed by the Commissioners is and are hereby authorized and empowered, at any Time after such Neglect or Refusal, and at any Place or Places whatsoever, to enter into any Boat, Barge, Lighter, or Vessel being in any of the said Lodes, taking with him or them such Assistance as he or they may think proper, and to seize and detain any of the said Goods or Commodities, or the Vessels carrying the same, with their Tackle, until Payment of the said Toll or Duty; and if the said Toll shall not be paid within Three Days next after such Seizure, it shall and may be lawful to and for the said Collector or Collectors to sell all or any of the said Goods, Wares, Merchandise, Commodities, and Vessels, with their Tackle, so seized and detained as aforesaid, and out of the Money arising from such Sale to deduct and retain the said Toll or Duty so neglected or refused to be paid, and the reasonable Costs and Charges attending such Seizure, Detention, and Sale as aforesaid, rendering the Overplus (if any), on Demand, to the Owner or Owners of such Vessel or Vessels respectively; and if the said Collector or Collectors shall be at any Time opposed or resisted in the Execution of his or their Office by any Person or Persons whomsoever, whether entrusted with the Navigation of such Boat, Barge, or Lighter, or not, every such Person shall forfeit and pay to the Commissioners the Sum of Five Pounds for every such Offence, to be levied and recovered in the like Manner as any other Penalties and Forfeitures are herein directed to be recovered, which said Penalty and Penalties, when recovered, are to be applied in the same Manner as the said Tolls are herein-before directed to be applied.

Exemption from Tolls.

LXI. Provided always, That all such Corn, Hay, Sedge, Fodder, Reed, or other Produce grown or to be grown upon any Part of the Fen Lands and Low Grounds within the Limits of this Act, which shall be brought, conveyed, or carried up or down any of the Lodes from off the said Fen Lands and Low Grounds to the Home or Homes of the respective Owner or Owners of such Corn, Hay, Sedge, Reed, Fodder, and other Produce, and also all Manure which shall be carried up or down any of the said Lodes for the Purpose of being laid on the said Fen Lands and Low Grounds, and all Materials to be used by the Proprietors or Occupiers of the said Lands and Grounds in erecting or repairing Buildings therein, and all Materials carried by Order of the Commissioners for repairing the said Banks, shall be and are hereby discharged and exempt of and from the Payment of the several Tolls and Duties herein-before last mentioned.

For ascertaining the Quality and Quantity of Goods.

LXII. And to the Intent that the Quantity and Quality of such Goods and Commodities as shall at any Time or Times be carried up or down any Part of the said Lodes called *Reach Lode*, *Bottisham Lode*,

Lode, *Swaffham Lode*, or *Burwall New Lode*, or any of them, may be discovered and known, and that the Tolls by this Act granted may be justly and truly paid, be it enacted, That every Waterman or other Person who shall at any Time navigate, carry, or convey through any of the said Sluices, or up or down any Part of the said Lodes, any Goods, Wares, Merchandise, or Commodities whatsoever, shall, upon Demand made by the said Collector or Collectors of the Tolls, give a just and true Account of the Quantity and Quality of all such Goods, Wares, Merchandise, and Commodities as he shall have on board, and of the Name or Names of the Owner or respective Owners thereof, which Account, being reduced and put into Writing by the said Collector or Collectors, the said Waterman or other Person is hereby required to subscribe his Name or Mark thereto, and if he shall refuse so to do, or shall deliver in a false or untrue Account, he shall for every such Refusal or false Account so by him given or declared forfeit the Sum of Forty Shillings, over and above the Tolls and Duties payable for such Goods, Wares, Merchandise, or Commodities by virtue of this Act, and to be applied to the like Uses with such Tolls.

Toll at Burwell New Lode.

LXIII. Provided always, That all and all manner of Persons navigating and carrying Goods up or down that Part of the Lode commonly called *Burwell New Lode* from *Upware Sluice* to *Powt Hall*, within the Limits aforesaid, shall pay One Moiety or Half Part of the Tolls herein-before directed to be paid on the Goods carried up and down any of the said other Lodes (which said Tolls shall be levied and recovered in the same Manner as herein-before last mentioned), and shall also forfeit and pay the like Forfeiture or Penalty of Forty Shillings on refusing to give an Account in manner herein-before directed, or for giving an untrue Account, to the Collector or Collectors, on Demand, of all or any Goods by him or them respectively carried, to be levied and recovered by Warrant of Distress in like Manner as in such Case is herein-before directed, except in such Cases where the Commissioners at any of their Quarterly Meetings shall have compounded with any such Navigator so navigating up or down that Part of *Burwell New Lode* aforesaid for a less Sum, which Composition the said Commissioners or any Five or more of them at such Meeting are hereby authorized and empowered to make.

Penalty on Toll Collectors misbehaving.

LXIV. That all and every the Toll Collectors, being Lessee of the said Tolls, or appointed or continued either by the said Commissioners or by any such Lessee to collect the Tolls payable by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House

or

or Toll Gate, immediately on his beginning to collect such Toll or coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in Black Letters on a White Ground or White Letters on a Black Ground, and shall continue the same so placed during the whole Time he shall collect such Toll or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the Commissioners made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer or shall hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Gate, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger, then and in every such Case such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence as the Justice or Justices before whom the Information shall be laid shall adjudge, and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Disputes about Tolls to be settled by a Justice.

LXV. Provided always, That if any Dispute or Difference shall arise concerning the Amount of any Tolls due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the Amount of the Tolls due, and the Charges of seizing, distraining, keeping, and selling the same, (as the Case may happen,) shall be ascertained by One or more Justice or Justices of the Peace for the County of *Cambridge*, who, upon Application to him or them made for that Purpose, is and are hereby authorized and required to examine the Matter upon Oath of the Parties or other Witness or Witnesses, and to determine the Amount of the Tolls due; and it shall be lawful for such Justice or Justices to assess and award such Costs and Charges to be paid by either of the Parties to the other of them as he or they shall think reasonable; and in case of Nonpayment of the Tolls and Costs and Charges so ascertained upon Demand, the same shall and may, by virtue of a Warrant under the Hand and Seal of such Justice or

Justices,

Justices, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same.

Application of Penalties.

LXVI. Provided always, That all Fines and Penalties to be levied under the Powers of this Act shall be paid to the Treasurer for the Purposes of this Act.

Power to reduce the Tolls.

LXVII. Provided also, That the said Commissioners or any Seven or more of them at any of their Quarterly Meetings aforesaid shall have full Power and Authority from Time to Time to lessen and reduce the several Tolls granted by this Act, or any Part thereof, for such Time as the said Commissioners or any Seven of them shall think proper, and such Tolls so lessened or reduced shall be collected, recovered, and applied in the same Manner as the Tolls and Taxes hereby granted are directed to be collected, recovered, and applied, and also to raise the same again as Occasion shall require, so as no greater Tolls be at any Time demanded or taken than herein-before directed and appointed to be taken.

Power to let Tolls.

LXVIII. That from and after the passing of this Act it shall and may be lawful for the said Commissioners or any Five or more of them from Time to Time, by any Writing under their Hands and Seals, to assign, demise, lease, and to farm let the Tolls or Duties by this Act granted, to any Person or Persons who shall be willing to farm the same, from Year to Year, or for any Term not exceeding Three Years, for the best Price and in such Manner as the said Commissioners or any Five or more of them shall think fit, which Money so received by the said Commissioners or their Order shall be applied and disposed of as the Rates and Taxes granted by this Act are directed to be applied and disposed of: Provided nevertheless, that the said Tolls and Duties shall not be so let but at a Public Meeting to be held either within the Limits of this Act or at some Place in the Town of *Cambridge*, after Notice given of the Intention to let the said Tolls and Duties by Advertisements in some Newspaper published or circulated in the said County of *Cambridge* for Fourteen Days preceding such Meeting.

Power to appoint Fen Reeves.

LXIX. And for the better Improvement of the said Fen Lands and Low Grounds, and more orderly Management of the Droveways thereof, be it enacted, That it shall and may be lawful for the Owners and Occupiers of Five Acres of Land taxed under or by virtue of this Act or the said recited Acts or either of them to meet on the *Thursday* before *Christmas Day* in every Year, at some convenient Place in that Behalf within the said Parishes or Township respectively to be appointed by the Commissioners or any Three of them by Notice affixed on the principal outer Door of the Church of the said Parishes or Township respectively, on the *Sunday* next

next before the said Meeting, and then and there choose by a Majority of Voices Two Fen Reeves, Dwellers in the respective Town or Parish for which they shall be chosen, to continue in the said Office for One Year and no longer, which Office the Persons so chosen are hereby required to take upon themselves within One Week after their Election, upon pain of forfeiting Five Pounds apiece for the Purposes of this Act, to be levied by Distress and Sale of their Goods and Chattels by Warrant under the Hands and Seals of any Three of the Commissioners.

Power to Commissioners to appoint Fen Reeves, on Neglect of Parishes to appoint.

LXX. Provided always, That if the Inhabitants of all or any of the Parishes or Townships within the Limits aforesaid shall refuse or neglect to choose the Fen Reeves at the Time appointed by this Act, it shall and may be lawful for the Commissioners to appoint such Person or Persons as to them shall seem proper for the Office in every such Parish or Town where such Fen Reeve or Fen Reeves had not been chosen under the Direction of this Act, and the Fen Reeve or Fen Reeves so chosen and appointed by the said Commissioners for all or any of the said Parishes or Towns shall have the same Powers, and may act in the Office of Fen Reeve, as fully to all Intents and Purposes as the Fen Reeves chosen and appointed by the Inhabitants of the other Parishes or Towns are empowered under the said Act to do: Provided always, that Sections Sixty-seven, Sixty-eight, Sixty-nine, Seventy, Seventy-one, Seventy-two, and Seventy-three of "The Commissioners Clauses Act, 1847," shall not apply to any Fen Reeve appointed as aforesaid.

Power of Fen Reeves.

LXXI. That the said Fen Reeves shall be and they are hereby empowered and required from Time to Time to let the Herbage of the Droveways within the Limits of this Act, in such Manner, upon such Terms, and subject to such Conditions as they shall think fit, and to receive and apply the Monies arising therefrom in and about the repairing and keeping in proper Order and Condition the said Droveways, and the said Fen Reeves are hereby empowered to impound all Cattle and Sheep that shall be fed and depastured upon any Droveway within the said Limits contrary to any Regulation of the Fen Reeves, and to take Sixpence apiece for all Neat Cattle or Horses and Eightpence a Score for Sheep so feeding and depasturing, and so in proportion for any less Number than a Score, and also to cause the said Droveways to be amended, and the common Ditches and Drains across or under the said Droveways respectively to be cleaned and scoured out.

Fen Reeves to account.

LXXII. That the said Fen Reeves, or such of them as receive any Money belonging to the said Office, shall, within One Week after the End of the Year for which he shall be so chosen and have served, make

make a full, true, and perfect Account of his Receipts and Disbursements in the said Office, and pay the Balance thereof (if any shall remain) to the next succeeding Fen Reeves for the said Parish, or One of them, in which said Account it shall be lawful for each of the said Fen Reeves to charge and retain in their Hands the Sum of Twenty Shillings for their Care and Pains in the Premises.

Certain Closes vested in Commissioners, with Power to let and sell the same.

LXXIII. And whereas several Closes, being Parts of the Poor's Commons taken and set out by Metes and Bounds and fenced in pursuant to the said first-recited Act, are now vested in the Commissioners for putting in execution the said recited Acts: Be it enacted, That the said several Closes respectively shall vest in the Commissioners for putting in execution this Act, and their Successors and Assigns, for ever; and it shall be lawful for the said Commissioners and they are hereby authorized from Time to Time to let the same Closes respectively upon such Terms and for such yearly or other Sums of Money as they shall think fit, and to apply the Rents and Profits thereof for the several Purposes of this Act; and it shall be lawful for the Commissioners and they are hereby authorized, either by Public Auction or Private Contract, at such Times, and either together or in such Parcels, and for such Prices, and in such Manner, and upon and subject to such Terms and Conditions of Sale as to them shall seem proper and reasonable, to make sale and absolutely dispose of all and every or any of the said Closes or any Part thereof respectively, with the Appurtenances, subject to the Leases or Agreements for Leases (if any) for the Time being affecting the same, and to buy in or rescind or vary any Contract of Sale of the said Premises or any Part thereof, and to resell the same; and all and singular the Monies to arise and be produced by any such Sale as aforesaid, after Payment of the Charges and Expenses attending such Sale, shall be applied and disposed of by the Commissioners in or towards Payment of the Principal Monies borrowed on Mortgage before the passing of this Act, or in aid of the Sinking Fund herein-after directed to be provided.

Premises to be first offered to Owners of adjoining Lands.

LXXIV. Provided always, That, before any such Sale of such Premises respectively as last mentioned shall be made to any other Person, the Commissioners shall offer to sell the same to the Owner or Owners or reputed Owner or Owners of the Lands thereto adjoining, (and if more than One proportionably to each of them, according to the Discretion of the Commissioners with reference to the Quantity of adjoining Land held by each,) and the Price or Purchase Money for the same shall be adjusted and settled by and between the Commissioners and each such Owner or reputed Owner, in such Manner as they, he, or she shall mutually agree; and if any such Owner or reputed Owner shall not agree to purchase the same

or any Part thereof, in manner aforesaid, within the Space of Fourteen Days from the Time at which such Offer shall be made to him by the Commissioners (of which Fact any Writing to that Effect under the Hands of any Three of the Commissioners shall be sufficient Evidence), then and in every such Case the Premises so offered for Sale as aforesaid shall and may be sold by the Commissioners to any Person or Persons whomsoever, in the Manner herein-before mentioned.

Power to contract with Owners and Occupiers of other Lands for Drainage.

LXXV. That it shall be lawful for the Commissioners or any Seven or more of them present at any Meeting to be holden pursuant to this Act to enter into any Contracts or Agreements with any Owners or Occupiers of Lands or Grounds adjoining or near to, but not situate within, the Limits of this Act, nor liable to be taxed under this Act, for passing the Waters of such Lands or Grounds or any of them, or any Part thereof, into or through any of the Cuts, Rivers, Drains, and Watercourses under the Management and Control of the Commissioners, for such Times respectively, and for such yearly or other Sums of Money, and under such Terms and Stipulations, as the Commissioners or any Seven of them present at any such Meeting as aforesaid, and the said Owners or Occupiers or any of them, may mutually agree upon, and to make Drains, Sluices, Tunnels, and other Works that may be required for that Purpose; which said several Sums of Money so to be contracted and agreed for shall be from Time to Time applied and disposed of by the Commissioners for the several Purposes of this Act.

Monies advanced by Treasurer to be repaid with Interest.

LXXVI. That if the Treasurer of the Commissioners for the Time being, or any other Person or Persons, shall advance any Sum or Sums of Money for the Purpose of this Act, such Treasurer or other Person or Persons respectively shall from Time to Time be repaid the same, with lawful Interest, out of the Monies that shall be raised by the Commissioners by virtue of the Powers of this Act.

Power to borrow Money to pay off 1,500*l.* to the Burwell Drainage and Navigation Commissioners.

LXXVII. That it shall be lawful for the Commissioners or any Five or more of them assembled at any Meeting to be holden pursuant to this Act, and they are hereby authorized and empowered, from Time to Time to borrow at Interest on the Credit of the Taxes and Tolls hereby directed or authorized to be imposed or levied, or of the said Taxes or Tolls or any Part or Parts thereof respectively, any Sum or Sums (not exceeding in the whole the Sum of One thousand five hundred Pounds) which they may think advisable or necessary to be raised for the Purpose of paying off to the *Burwell* Drainage and Navigation Commissioners the Sum of One thousand five hundred Pounds secured to them by the Agreement dated the First Day of *June* One thousand eight hundred and forty-two, herein-before

herein-before referred to, or any Five hundred Pounds Instalment thereof, and to pay and apply the same accordingly until the whole of the said Sum of One thousand five hundred Pounds shall be fully paid and satisfied.

Previous Mortgages under recited Acts to include Tolls, &c. under this Act.

LXXVIII. That every Mortgage made before the passing of this Act, and mentioned in the First Schedule to this Act annexed, shall extend to and comprise and include all Tolls payable under or by virtue of this Act, and all Rates and Taxes to be made or imposed in pursuance of this Act, and all Penalties, Forfeitures, and Monies payable in respect thereof, during the Continuance of such Mortgages respectively.

Power to borrow Money to pay off Principal Sums borrowed under recited Acts.

LXXIX. That it shall be lawful for the Commissioners or any Five or more of them assembled at any Meeting to be holden pursuant to this Act, and they are hereby authorized and empowered, from Time to Time to borrow at Interest on the Credit of the Taxes and Tolls hereby directed or authorized to be imposed or levied, or either of the said Taxes or Tolls, or any Part or Parts thereof respectively, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand nine hundred and sixty-three Pounds Five Shillings which they may think necessary for the Purpose of paying off all or any of the Principal Monies borrowed or owing before the passing of this Act, and mentioned in the First Schedule to this Act annexed, and for the Time being remaining unpaid, or any Part or Parts thereof respectively, and to pay and apply the same accordingly.

Power to borrow Money for the general Purposes of this Act.

LXXX. That it shall be lawful for the Commissioners or any Five or more of them assembled at any Meeting to be holden pursuant to this Act, and they are hereby authorized and empowered, from Time to Time to borrow at Interest on the Credit of the Taxes and Tolls hereby directed or authorized to be imposed or levied, or either of the said Taxes and Tolls, or any Part or Parts thereof respectively, any Sum or Sums of Money not exceeding in the whole (with and including the several Sums herein-before authorized to be borrowed on Mortgage or advanced by the Treasurer) the Sum of Twenty-five thousand Pounds, for the several Purposes of this Act; and it shall be lawful for the Commissioners or any Five or more of them assembled at any of their Meetings to assign and charge the Rates, Taxes, and Tolls authorized to be raised and levied by this Act, or any of them, or any Part thereof respectively, to or in favour of any Person or Persons who shall lend or advance any Sum or Sums of Money for any of the Purposes of this Act, as a Security or Securities for the Repayment thereof, with Interest for the same at any Rate not exceeding the Rate of Five Pounds *per Centum per Annum*;

and

and that every such Security for the Repayment of any such Sum or Sums of Money, with Interest, shall state the full Consideration for the same, and shall be duly stamped with the proper *ad valorem* Duty as a Mortgage, and may contain such Stipulations and Provisions to be inserted therein as the Commissioners may think proper and the Case may require, and may, subject to such Stipulations and Provisions being inserted therein (if any), be in the Form contained given by the said "Commissioners Clauses Act, 1847."

Power to raise Money for the Discharge of Principal Monies called in.

LXXXI. That it shall be lawful for the Commissioners and they are hereby empowered to provide and raise from Time to Time, by Mortgage and in manner herein-before mentioned, any Sum or Sums of Money which shall from Time to Time be required for paying off and discharging any Principal Money or Monies theretofore borrowed or taken up at Interest on the Security of any of the said Rates, Taxes, or Assessments, and which shall from Time to Time be called in by the Person or Persons respectively entitled thereto, or which the Commissioners shall from Time to Time think proper to pay off and discharge, or any Part thereof respectively, and which shall not be paid off under the Provisions in that Behalf herein contained, and to pay and apply the same accordingly, and to provide for the Payment of any Sums to be raised by Mortgage as last aforesaid, with Interest, in manner herein-before declared with reference to the Sums herein-before authorized to be borrowed, and the Interest thereof: Provided always, that the Sums so borrowed whilst the same respectively shall remain unpaid, shall be considered as Part of the above-mentioned Sum of Twenty-five thousand Pounds.

Receipts of Treasurer to be good Discharges.

LXXXII. That the Receipt of the Treasurer for the Time being of the Commissioners shall from Time to Time be good and effectual Releases, Acquittances, and Discharges to all Bodies or Persons whomsoever for all such Sums of Money by this Act directed or authorized to be paid to the Commissioners or any of them, or to their Treasurer, or to be borrowed or taken up at Interest or otherwise raised by the Commissioners for any of the Purposes of this Act, as in such several Receipts shall be respectively acknowledged to be received; and after taking such Receipts respectively the respective Bodies or Persons paying the several Sums of Money therein respectively acknowledged to be received shall not be liable to see to the Application of the same respective Sums of Money or any Part thereof, nor be answerable or accountable for any Misapplication or Nonapplication thereof.

Commissioners not to be personally.

LXXXIII. Provided always, That the Commissioners or any of them, or the Heirs, Executors, or Administrators of any of them, shall not personally, nor shall the Lands, Tenements, Goods, or Chat-

liable on Mortgages.

tels of any of them, be liable to or chargeable with the Repayment of any Principal Money or Monies to be secured by or upon any such Mortgage or Mortgages as aforesaid, or any Part thereof, or any Interest for the same, or any Costs or Charges relating thereto, or by reason of the Nonpayment thereof respectively, but the same shall respectively be charged upon the said Rates, Taxes, and Assessments which shall be charged or mortgaged with the Payment thereof respectively as aforesaid.

Application of Monies.

LXXXIV. That the Taxes, Penalties, and Tolls, and all other Monies whatsoever to be received by the Commissioners by virtue of this Act, shall be applied and disposed of, first in defraying all Costs, Charges, and Expenses of obtaining this Act and preparatory and incidental thereto; secondly, in Payment of the Interest for the Time being due upon or in respect of Mortgages made before and after the passing of this Act; thirdly, (subject and without Prejudice to the Claims, Powers, Rights, and Remedies of Creditors, whether on such Mortgages or otherwise,) in and about making, executing, and maintaining any of the Works, Matters, and Things by this Act authorized to be made, done, or executed by the Commissioners, and all Costs, Charges, and Expenses incident thereto and to the due Execution of this Act, and in Payment of such Sums of Money as are and shall be due to any Person or Persons on Security of any of the Rates, Taxes, Tolls, and Monies authorized to be levied under or by virtue of this Act, and in providing a Sinking Fund as herein-after directed, and to and for no other Use or Purpose whatsoever.

Sinking Fund to be formed.

LXXXV. That the Commissioners shall and they are hereby required, with and out of the Rates, Taxes, Tolls, and Monies to be received by them under the Authority of this Act, and on the Security whereof any Principal Monies shall be due and owing, (subject nevertheless and without Prejudice to the Rights and Remedies of any Mortgagee or Mortgagees for recovering Payment of his, her, or their Principal Monies and Interest,) within One Year next after the passing of this Act, and afterwards yearly and every Year, to appropriate and set apart a Sum equal to One Twentieth Part at least of the gross annual Income of the Commissioners arising from the said Rates, Taxes, Penalties, Tolls, and Monies, in order that the same may accumulate and form a Sinking Fund, and be applied for the Purpose of paying off such Principal Monies.

Money paid off by means of the Sinking Fund not to be reborrowed.

LXXXVI. That the several Powers and Authorities herein-before contained for borrowing Money shall cease with respect to the Amount paid off from Time to Time through or by means of the said Sinking Fund, and no Part of the Money so paid off shall be reborrowed under or by virtue of any of the Powers or Authorities herein-before contained.

LXXXVII. That

The Swaffham Drainage Act, 1853.

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

LXXXVII. 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.

LXXXVIII. 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 inconsistent with any express Provision of this Act, as they had and enjoyed of, in, to, or out of or in respect of the said Fen Lands and Low Grounds or any Part thereof before the passing of this Act, or could or might have had or enjoyed in case the same had not been passed.

The FIRST SCHEDULE to which the foregoing Act refers.

LIST OF DEBTS BEFORE THIS ACT.

Creditors.	Amount. £	s.	d.
The Executors of Mrs. Stratton	6,860	0	0
The Rev. Charles Goodwin	500	0	0
Ditto	700	0	0
The Rev. Luke Jones	1,000	0	0
Ditto	500	0	0
The Rev. John Hailstone	2,000	0	0
Charles Buxton Musgrave, Esq.	2,000	0	0
Mr. and Mrs. Chambers' Trustees	1,000	0	0
Miss Page	500	0	0
Miss Thrower	1,000	0	0
The Rev. Edward Herbert	435	0	0
Mr. Thomas Markham	500	0	0
Mrs. Barker	700	0	0
The Rev. Charles Edmund Ruck Keene	200	0	0
The Executors of Christopher Pemberton, Esq.	200	0	0
Ditto	200	0	0
Ditto	100	0	0
The Executors of Mrs. Allix	650	0	0
Mr. Charles Claydon	150	0	0
Ditto	100	0	0
Mr. Frederick Sharpe	150	0	0
Mrs. Balls	500	0	0
Mr. Henry Headley Emson	500	0	0
Mr. William Fison (Debt for Bricks)	518	5	0
	£20,963	5	0

The SECOND SCHEDULE to which the foregoing Act refers.

(A.)

We, the undersigned, being Five of the Commissioners acting under or by virtue of "The Swaffham Drainage Act, 1853," present at a Meeting of Commissioners held pursuant to the said Act on the Day or One thousand eight hundred and , at in the of in the County of Cambridge, do hereby assess, rate, tax, and charge the Lands comprised within the Limits of the said Act, and mentioned and described in the Reference Book and Plan made by Messrs. Lenny and Croft of Bury St. Edmunds, Surveyors, in the Year 1833, and the respective Owners and Occupiers of the said Lands, with the Sum of for every Acre thereof, and so in proportion for any greater or less Quantity than

than an Acre. And the Commissioners order and direct that the Tax hereby imposed shall be paid to Mr. , the Collector appointed by the Commissioners to receive the same, at in the County of Cambridge, on the Day of next, between the Hours of Ten in the Forenoon and Four in the Afternoon of that Day.

(B.)

We, the undersigned, being respectively entitled to the Amount under written opposite to our respective Names in respect of Principal Monies borrowed on Mortgage before the passing of "The Swaffham Drainage Act, 1853," do hereby consent that it shall be lawful for the Commissioners at their next Meeting to be holden on the Day of One thousand eight hundred and , or at any Adjournment thereof, to make an equal Acre Tax for the Year commencing on the Day of One thousand eight hundred and of less Amount than Five Shillings per Acre, but not less than Shillings and pence per Acre, and so in proportion, pursuant to the Provisions of the said Act. As witness our Hands, the Day of One thousand eight hundred and

Signatures of Creditors.	Amount due (exclusive of Interest).	Signatures of attesting Witnesses.

(C.)

We, the undersigned, being respectively entitled to the Amount under written opposite to our respective Names in respect of Principal Monies borrowed on Mortgage after the passing of "The Swaffham Drainage Act, 1853," do hereby consent that it shall be lawful for the Commissioners at their next Meeting to be holden on the Day of One thousand eight hundred and , or at any Adjournment thereof, to make an equal Acre Tax for the Year commencing on the Day of One thousand eight hundred and of less Amount than Five Shillings per Acre, but not less than Shillings and pence per Acre, and so in proportion, pursuant to the Provisions of the said Act. As witness our Hands, the Day of One thousand eight hundred and

Signatures of Creditors.	Amount due (exclusive of Interest).	Signatures of attesting Witnesses.

(D.)

WE, the undersigned, being Five of the Commissioners acting under or by virtue of "The Swaffham Drainage Act, 1853," do hereby, in execution of the said Act, authorize and require you or either of you to enter into and upon the Lands and Premises in the Occupation of
situate at in the County of Cambridge, and to levy the Sum of for a Tax imposed by the said Commissioners upon the said , and now in arrear and unpaid, together with for a Penalty incurred by the said by his Default in not paying the said Tax, by Distress of any Goods or Chattels which shall be found on the said Premises, and if no sufficient Distress be found upon the said Premises, then upon any other Lands and Premises of the said
situate within the Limits of the said Act, and the Goods and Chattels so distrained to impound on the Premises, or take, lead, drive, carry away, and keep for the Space of Five Days, at the Costs and Charges of the Owner or Owners thereof; and in case of the Nonpayment of the said several Sums of Money, and the Charges attending such Distress and Removal, and of the not replevying of the Goods and Chattels distrained within Five Days next after such Distress made and Notice given thereof, then we further authorize and require you or either of you to cause the Goods and Chattels so distrained to be appraised and sold, for and towards Satisfaction of the said Monies, and the Charges of taking, keeping, removing, appraising, and selling the said Goods and Chattels, and to deal with the Overplus, if any, as directed by the said Act, and for so doing this shall be your sufficient Warrant and Precept.

Witness our Hands and Seals, this Day of One thousand eight hundred and

To

or either of them.

(L. S.)
(L. S.)
(L. S.)
(L. S.)
(L. S.)

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