ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. xxix.

An Act to amend an Act passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*, for inclosing Lands in the Hamlet of *Thetford* in the *Isle of Ely*, and for draining certain Lands in the said Hamlet and in other Parishes in the said Isle, so far as relates to such draining. [28th *May* 1852.]

WHEREAS an Act was passed in the Seventh Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for dividing, allotting, and inclosing Lands in the Hamlet of* Thetford *in the Parish of* Stretham, *in the* Isle of Ely *and County of* Cambridge, *and for draining and embanking certain Parts of the said Lands and other Lands in the said Hamlet and in other Parishes in the said Isle and County:* And whereas Commissioners of Drainage for carrying such Act into execution, so far as relates to such draining and embanking, have proceeded to carry such Act into execution, and have borrowed at Interest the Sum of Five thousand Pounds, the whole of which Sum has been expended in carrying the said Act into execution so far as relates to Drainage and embanking, and which Sum, with an Arrear of Interest thereon, still remains due and owing: And whereas various Sums of Money are due and owing from the Commis- 7 & 8 Vict. c. 29.

sioners for the Purchase of Lands for the Sites of Banks and other Works of Drainage, and other Debts have been incurred by the Commissioners in respect of such Drainage and Embankment, amounting in the whole to about the Sum of One thousand and one hundred Pounds: And whereas the Rates and Taxes granted by such Act and the other Funds and Property of the Commissioners are not sufficient for the Payment of such Mortgage and other Debts, and of such further Sums of Money as may from Time to Time be necessary for the Works of Drainage and Embankment by the recited Act authorized: And whereas it is expedient to increase the Number of such Commissioners, and that Power should be granted to such Commissioners to raise a further Sum of Money by additional Rates and Taxes, and also on Mortgage of the Rates and Taxes by the recited Act and by this Act granted; and it is also expedient that some of the Provisions of the recited Act relating to such Drainage and Embankment should be altered and amended; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

"Commissioners." I. That in this Act the Term "Commissioner," and the Term "Commissioners," shall respectively mean a Commissioner of Drainage or the Commissioners of Drainage for executing the Provisions of the recited Act relative to Drainage and of this Act.

Short Titles of Acts. II. That in citing the recited Act for any Purpose, it shall be sufficient to use the Expression, "The *Thetford* Inclosure and Drainage Act, 1844;" and in citing this Act it shall be sufficient to use the Expression, "The *Thetford* Drainage Amendment Act, 1852."

And with respect to the Appointment of Commissioners of Drainage, the Election of Commissioners by Owners of Land, and for supplying Vacancies in the Commissioners,

Appointment of Commissioners. III. That the Sections numbered respectively Eighty, Eighty-two, and Eighty-three, relating to the Appointment of Commissioners, in the Copies of the recited Act, shall be repealed; and in the Place thereof the Lord of the Manor of *Thetford* in the Hamlet of *Thetford* for the Time being, an Agent to be from Time to Time appointed by the Dean and Chapter of the Cathedral Church of *Ely* for the Time being, and every Person who for the Time being shall be seised or possessed in his own Right or in Right of his Wife, or as Trustee, Committee, or Guardian for any Feme Covert, Lunatic, Minor, or other incapacitated

capacited Person, of Twenty Acres or upwards of Lands or Ground chargeable with Rates and Taxes to be levied or assessed by the Commissioners under the Provisions of the recited Act or this Act, together with the Deputy Commissioners and other Persons by this Act authorized to be appointed and elected, shall be and they are hereby appointed the Commissioners of Drainage for carrying the recited Act, so far as relates to the draining and embanking of the Fen, Commons, Lands, and Grounds by the recited Act authorized to be drained and embanked, and this Act, into execution, subject to the Rules and Regulations in the recited Act and this Act contained in that Behalf; provided, that when there is more than One Trustee, Committee, or Guardian for any Feme Covert, Lunatic, Minor, or other incapacitated Person, only One such Trustee, Committee, or Guardian shall act at any One Time, either as a Commissioner or in the Appointment or Election of a Commissioner.

For electing Commissioners by Owners of Land.

IV. That for the Purpose of electing additional Commissioners the Clerk to the Commissioners shall call a Meeting of the Persons seised or possessed as aforesaid of Ten Acres or upwards, but of less than Twenty Acres, of such Lands and Grounds, to be held at some convenient Place in the Hamlet of *Thetford*, within One Month after the passing of this Act, by affixing a Notice of the Time and Place of holding such Meeting on the principal Door of the Hamlet Chapel of *Thetford*, upon some *Sunday*, before Divine Service, and by advertising such Notice Seven Days at least previously to such Meeting in some Newspaper printed or usually circulated in the *Isle of Ely*; and the Persons seised or possessed as last aforesaid, who shall meet in pursuance of such Notice, or the major Part of them, shall and may elect Five Persons, who shall respectively be so seised or possessed of Ten Acres or upwards, but of less than Twenty Acres, of such Lands and Grounds, to be Commissioners; and every Person so elected shall be a Commissioner for the Term of Three Years, and thenceforth until a Commissioner shall be elected in his Stead as herein-after mentioned, provided he so long continue seised or possessed as last aforesaid.

For supplying Vacancies of Commissioners.

V. That whensoever a Commissioner, or succeeding Commissioner, elected as aforesaid, shall die, resign, or become disqualified, or shall have been a Commissioner Three Years, the Persons who for the Time being were entitled to hold a Meeting for the Election of such additional Commissioners shall hold a Meeting and elect a Person to be a Commissioner in the Stead of the Person who shall have died, resigned, or become disqualified, or who shall have been in Office Three Years; and the Provision in this Act contained for convening a Meeting for the Election of Five additional Commissioners, and fixing the Qualification of the Persons to be so elected, shall extend

and

and apply to the convening and holding Meetings, and to the Election and Qualification of Persons to supply such Vacancies: Provided always, that every Person ceasing to be a Commissioner by reason of his Term of Office having expired shall from Time to Time be eligible to be re-elected, either at the Time at which his Office shall become vacant or at any future Time, provided he be otherwise duly qualified.

Treasurer of Townshend's Charity qualified to act as Commissioner, &c.

VI. That the Treasurer for the Time being of *Townshend*'s Charity in *Thetford* shall be as qualified for the Purpose of being elected a Commissioner, and for the Purpose of electing a Commissioner, as he would be if he were seised or possessed in his own Right of the Lands and Grounds belonging to the Charity..

First Meeting of Commissioners.

VII. That the Commissioners shall hold their First Meeting at some convenient Place within the Hamlet of *Thetford*, or within Three Miles thereof, on the Fourth *Wednesday* after the passing of this Act, or as soon after as conveniently may be, and proceed to put this Act into execution.

Appointment of Deputy Commissioners.

VIII. That it shall be lawful for every Commissioner (not being an Agent Commissioner), by Writing under his Hand, from Time to Time and for such Time as he shall think fit, to appoint an Agent or Deputy to act as a Commissioner in his Stead; and every such Agent or Deputy shall, in the Absence of the Person by whom he shall be so appointed, act as a Commissioner, and shall have the like Power and Authority as the Person by whom such Agent or Deputy shall be appointed was invested with, but no such Agent or Deputy shall be capable of acting as Agent or Deputy for more than One Commissioner at any One Time; and no Commissioner who may be qualified in more than One Capacity, except as Trustee, Committee, or Guardian, shall be entitled to appoint separate Agents or Deputies in respect of his several Qualifications.

Commissioners to make Declaration before acting.

IX. That no Person shall be capable of acting as a Commissioner, or as an Agent of such Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made or subscribed, before Two or more Commissioners, a Declaration in the Words to the Effect set forth in the Schedule (B.) to the recited Act annexed.

Penalty on Persons acting, &c. not being qualified.

X. Provided always, That if any Person shall act as a Commissioner (except as aforesaid) until he shall have made and subscribed the said Declaration, or if any Person not qualified as aforesaid shall act as such Commissioner, or appoint any other Person to act as such Commissioner, in the Execution of this Act, he shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds to any Person who shall sue for the same in any of Her Majesty's Courts

Courts of Record at *Westminster*, by Action of Debt or on the Case, and in which Action it shall only be necessary to prove that the Defendant acted as a Commissioner, or appointed such Commissioner, in the Execution of this Act, and a Verdict shall be found against the Defendant, unless he shall prove in his Defence that he hath made and subscribed the said Declaration, and that he was at the Time of his so acting or appointing qualified according to the true Intent and Meaning of this Act: Provided always, that all Acts and Proceedings of any Person so acting or appointing without being duly qualified previously to a Verdict being obtained against him for so acting or appointing shall, notwithstanding such subsequent Conviction, be as valid and effectual as if such Person had been duly qualified.

And with respect to the Taxes which the Commissioners are authorized to levy,

Commissioners may levy further Taxes.

XI. That the Commissioners shall and they are hereby required, at a Meeting to be held within Three Months after the passing of this Act, but at no other Time, to assess, rate, tax, and charge all the several Lands and Grounds now taxable by the Commissioners under the Powers and Provisions of the recited Act, and all the Owners and Occupiers thereof respectively, with an equal Acre Tax of any Sum which the Commissioners may consider necessary, not exceeding Twenty Shillings *per* Acre, in addition to the Tax which they are authorized to levy by the recited Act, and so in proportion for any greater or less Quantity than an Acre; and such Tax shall be payable on a Day to be named at such Meeting within the Space of Two Months from such Meeting; and it shall be lawful for the Commissioners, at their General Meeting to be held in the Month of *March* in each Year, or at some Adjournment thereof, in like Manner to assess, rate, tax, and charge all the several Lands and Grounds now taxable by the Commissioners under the Powers and Provisions of the recited Act, and all the Owners and Occupiers thereof respectively, with a further and equal Acre Tax of any Sum which the Commissioners may consider necessary, but not exceeding Ten Shillings *per* Acre in addition to the Tax which they are authorized to levy by the recited Act, and so in proportion for any less Quantity than an Acre; and such first-mentioned further Tax shall be paid to the Receiver, Collector, or Treasurer for the Time being of the Commissioners, at such Place and in such Manner as the Commissioners shall appoint, on the Day to be named for the Payment of the same; and all other such further Taxes shall in like Manner be paid to such Receiver, Collector, or Treasurer on the First Day of *July* in every Year, and the First Payment thereof shall be made on the First Day of *July* which will be in the Year One thousand eight hundred and fifty-three.

Fixing the minimum Amount of Rates to be collected so long as a Debt remains.

XII. Provided always, That so long as any Sum of Money already borrowed and secured, or which shall hereafter be borrowed and secured, on the Credit of the Rates, Taxes, and Charges authorized to be levied under the Powers and Provisions of the recited Act alone, or on the Credit of such last-mentioned Rates, Taxes, and Charges jointly with the Rates, Taxes, and Charges authorized to be levied under the Powers and Provisions of this Act, or other Funds and Property vested in such Commissioners, shall remain wholly or in Part due and owing, there shall in each Year be assessed, rated, taxed, and charged upon all and singular the said Lands and Grounds, under the Powers and Provisions of the recited Act, the Sum of Seven Shillings and Sixpence *per* Acre at the least, with a proportionate Sum for any greater or less Quantity than an Acre; and so long as any Sum of Money borrowed and secured on the Credit of the Rates, Taxes, or Charges authorized to be levied under the Powers and Provisions of this Act alone, or on the Credit of such last-mentioned Rates, Taxes, and Charges jointly with the Rates, Taxes, and Charges authorized to be levied under the Powers and Provisions of the recited Act, or other Funds and Property vested in such Commissioners, shall remain wholly or in part due and owing, there shall also in each Year be assessed, rated, taxed, and charged upon the said Lands and Grounds, as and for the further Tax authorized to be levied under the Powers of this Act, the Sum of Five Shillings *per* Acre at the least, with a proportionate Sum for any greater or less Quantity than an Acre.

Form of Taxation.

XIII. That any Taxation or Assessment made under the Provisions of the recited Act and of this Act, or either of them, may be in the Form specified in the Schedule (A.) to this Act annexed, or to the like Effect.

And with respect to the Power of Distress in case of Nonpayment of Taxes,

Public Notice of Place of Payment of Taxes to be given.

XIV. That public Notice of the Time and Place appointed for the Payment of the several Rates and Taxes hereby authorized to be charged by the Commissioners shall be given by advertising the same at least Fourteen Days before the Time appointed for Payment thereof in some Newspaper printed or usually circulated in the said *Isle of Ely*.

Penalty on Nonpayment of Taxes.

XV. 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 Twenty-eight Days 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 Penalties shall be

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.

XVI. 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 Rent; 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 where Six Years are unexpired in the Lease.

XVII. 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 a Lease from any Corporation, Sole or Aggregate, or under any beneficial Lease for Lives, or under any Lease or Agreement of which at the Time appointed by the Commissioners for the Payment of the said Rates or Taxes in any Year there shall be Six Years unexpired, 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.

XVIII. 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.

Power of Distress in Case of Nonpayment of Taxes.

XIX. That the Section numbered One hundred and seventy-seven in the Copies of the recited Act shall be repealed; and in the place thereof, That if any Person being the Occupier of any Lands or Grounds rated or taxed or assessed by the Commissioners by virtue of the recited Act and this Act, or either of them, shall refuse or neglect to pay the Money so rated, taxed, or assessed within Thirty Days after the respective Times of Payment to be appointed by Notice in pursuance of the recited Act and this Act, or either of them, 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 required from Time to Time to grant as Occasion shall require), to enter into every or any of the Lands and Grounds by the recited Act and this Act, or either of them, taxed and charged as aforesaid, for

for which Rates, Taxes, and Penalties shall be due and owing, and upon all Messuages and Tenements standing thereon or belonging thereunto, with the Appurtenances, and levy such Sum of Money so rated, taxed, or assessed, and Penalties, and all Arrears thereof, by Distress and Sale of the Goods and Chattels which shall be found on the said Premises, 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 such Distress and Sale; or otherwise it shall be lawful for the Commissioners from Time to Time to enter upon the Lands and Grounds belonging to or occupied by such Person so refusing or neglecting to pay as aforesaid, and the Rents and Profits thereof respectively to receive and take until thereby or otherwise such Taxes, Rates or Assessments, and Penalties, and all the Arrears thereof, and all Costs, Charges, and Expenses occasioned by or attending such Entry or Receipt of the Rents and Profits of such Premises, shall be fully paid and satisfied.

Lands to remain liable if no Distress found.

XX. 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.

Lands may be let for Payment of Taxes.

XXI. 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 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 on Chapel Doors.

XXII. 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

pointed for such letting, to be affixed on the principal outer Door of the Hamlet Chapel of *Thetford* aforesaid, 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 said *Isle of Ely*, Three Weeks at least before the Time appointed for such letting.

Notices of letting to be given.

XXIII. 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.

Distress how to be levied.

XXIV. That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expenses of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Form of Warrant of Distress.

XXV. That the Warrant of Distress for the Recovery of any Rate, Tax, or Sum of Money payable under the Provisions of the recited Act and this Act, or either of them, may be in the Form specified in the Schedule (B.) to this Act annexed, or to the like Effect; and any Demand or Summons shall not be necessary previously to executing such Warrant, but Ten Days at least before executing the same the Commissioners shall, under the Hand of their Clerk, cause Notice of the Intention to make such Distress to be left at or transmitted by the Post to the usual or last Place of Abode of such Occupier.

Distress not unlawful for Want of Form.

XXVI. That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

And with regard to the Power of the Commissioners to borrow Money on Mortgage,

Power to borrow Money on Mortgage.

XXVII. That it shall be lawful for the Commissioners from Time to Time to borrow, at Interest, on the Credit and by Mortgage and Assignment

Assignment of the Rates and Taxes by this Act authorized to be made, levied, or assessed, alone or on the Credit and by Mortgage and Assignment of such last-mentioned Rates and Taxes jointly with the Rates and Taxes by the recited Act authorized to be made, levied, or assessed, or other Funds and Property vested in such Commissioners, any Sum of Money which they may think proper, not exceeding in the whole the Sum of Two thousand Pounds, in addition to the Amount which they have borrowed or are authorized to borrow under the Provision of the recited Act, so that each Mortgage or Assignment be satisfied at the latest at the End of Twenty Years from the Date thereof; and for securing the Repayment of the Money so borrowed, with Interest, the Commissioners, or any Five of them, may assign over such several Rates and Taxes and Property, or any Part thereof, to the Person who shall advance and lend such Money, or his Trustee, as a Security for the Repayment of the Money so to be borrowed, together with Interest for the same.

Form of Mortgage.

XXVIII. That every such Mortgage or Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Five of the Commissioners, and may be according to the Form in Schedule (C.) to this Act annexed, or to the like Effect.

Mortgages to be without Preference.

XXIX. That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, except as herein-after mentioned, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates, Taxes, and Property, equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Mortgages or Assignments respectively.

Sinking Fund.

XXX. That the Commissioners shall appropriate a Part of the annual Rates or Taxes to be raised under this Act, and payable to the Commissioners, either to the gradual Extinction of the Mortgage Debt for the Time being, or to the Formation of a Fund to be accumulated for the Discharge of such Debt, or to both those Purposes; and it shall be lawful for the Commissioners respectively to invest the Fund to be accumulated as aforesaid in their Names in the Public Stocks or Funds, or in Government or Real Securities, and from Time to Time to vary the same.

Expenses of Mortgages.

XXXI. That the Expenses of every Mortgage or Assignment shall, from Time to Time, be defrayed by the Commissioners out of the Money raised by the same.

XXXII. That

Register of Mortgages to be kept open for Inspection.

XXXII. That a Register of such Mortgages or Assignments shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignment of Mortgages.

XXXIII. That from Time to Time any Party entitled to any such Mortgage or Assignment may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated, and any such Transfer may be according to the Form in Schedule (D.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

XXXIV. That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Mortgage or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Assignment so transferred or any Money thereby secured.

Interest on Mortgages to be paid half-yearly.

XXXV. That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Former Mortgages to have Priority.

XXXVI. That all Mortgages and Assignments already granted in pursuance of the recited Act shall, during the Continuance thereof, have Priority over every Mortgage and Assignment to be created by virtue of this Act; and the Period within which any Mortgage granted by the recited Act may be satisfied shall be Twenty Years from the passing of this Act.

Application of Monies raised under this Act.

XXXVII. That the Monies to be levied, raised, and received by the Commissioners in respect of the said Tax, to be called the Further Tax, and all Money to be borrowed in pursuance of this Act, shall be applied first in Payment and Discharge of the Costs, Charges, and Expenses incident to and attending the obtaining and passing of this Act; and the Remainder of all such Money shall be applied in carrying the Provisions of the recited Act and this Act into execution.

SCHE-

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

We, the undersigned, being Five of the Commissioners for the Drainage of Thetford Fen District, acting under and in pursuance or by virtue of the Thetford Inclosure and Drainage Act, 1844, and of the Thetford Drainage Amendment Act, 1852, present at a Meeting held pursuant to the said Acts on the Day of at of the Clock in the noon, in the Year of our Lord One thousand eight hundred and at the in the of in the Isle of Ely, do hereby assess, rate, tax, and charge the Lands mentioned and described in the annexed Book, marked by reference to the Number on a certain Plan, made in pursuance of the said Acts, or one of them, by Mr. Charles Muriel Bidwell, Surveyor, Ely, marked and called "Plan of Thetford Fen District, pursuant to Act of Parliament, A. D. 1845," being within the Thetford Fen District, and bounded and described as in the said Acts, or one of them, specified, and the respective Owners and Occupiers of the said Lands whose Names are mentioned in each Page of the said Book with the Sum of for every Acre of the said Lands set down in each Page of the said Book against the Names of such Owners and Occupiers, and so in proportion for any greater or less Quantity 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 the Dwelling House of the said situate in the of in the Isle of Ely, on the Day of next, between the Hours of Ten in the Forenoon and Four in the Afternoon of that Day.

FORM OF TAXING.

Occupiers.	Owners.	Parish or Hamlet.	Number on Plan.	Description.	Quantity.			Amount of Tax.		
					A.	R.	P.	£	s.	d.
A. B. -	Himself -	Thetford -	33	Land in Reedfen, with Share of Road adjoining.	13	1	12	6	13	3
The same	C. D. and others -	Thetford -	39	Land in Reedfen	8	2	9	4	5	6
E. F. -	G. H. -	Ely, Trinity	1, 2, 3, 4, 5, 6, 7 & 8.	Part of Braham Farm.	28	3	23	15	0	1½

SCHE.

SCHEDULE (B.)

WE, the undersigned, being Five of the Commissioners for the Drainage of Thetford Fen District, acting under and in pursuance or by virtue of the Thetford Inclosure and Drainage Act, 1844, and of the Thetford Drainage Amendment Act, 1852, do hereby, according to the Statutes in such Case made and provided, authorize and require you and any and each of you to enter into and upon in the Possession and Occupation of situate at in the of and numbered on the Plan mentioned in the Taxation or Assessment of the Tax made by the said Commissioners of Drainage on the Day of One thousand eight hundred and , and into and upon all Messuages and Tenements standing thereon or belonging thereunto, with the Appurtenances, and to levy the Sum of due, and by them directed to be paid at a Time now passed by the said for a Tax imposed by the said Commissioners of Drainage upon the said and upon the said as the Occupier thereof in and by the said Taxation, 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 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, giving or leaving the Notice required in such Case by the Statutes in such Case made and provided; 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 as aforesaid, then we further authorize and require you, any and each of you, to cause the Goods and Chattels so distrained to be appraised and sold according to the Statutes aforesaid, 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 Statutes aforesaid; 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 .

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

To
and each of them.

SCHEDULE (C.)

Form of Mortgage Deed.

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of the foregoing Act*], we of the Commissioners or executing the said Act, in consideration of the Sum of advanced and paid by *A. B.* to the Treasurer to the Commissioners, do hereby assign unto the said *A. B.* [*or* to his Trustee, *as the Case may be*], his Executors, Administrators, and Assigns, the Rates, Taxes, and Assessments [*describing them*], with all Powers and Authorities for collecting and raising the same, to hold the same to and for his and their own Use and Benefit from the Day of until the said Sum of with Interest at the Rate of per Centum per Annum, shall be repaid. In witness whereof, we, the Commissioners, have hereunto set our Hands and Seals, the Day of in the Year of our Lord .

SCHEDULE (D.)

Form of Transfer of Mortgage.

To all to whom these Presents shall come, I, of in the County of send greeting:

Whereas, by a certain Mortgage, bearing Date the Day of , under the Hands and Seals of of the Commissioners acting in the Execution of an Act passed in the Year of the Reign of Queen Victoria [*here insert the Title of the foregoing Act*], all and every the Rates, Taxes, and Assessments [*describing them*] were assigned to me in manner therein mentioned, for securing the Sum of by me advanced and paid, with Interest thereon: Now I do, in consideration of the Sum of to me paid by of in the County of transfer unto the said the said Mortgage, with all my Right and Title to the Principal and Interest thereby secured, and now due unto me or to grow due thereon. Witness my Hand and Seal, the Day of in the Year of our Lord .

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