ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 81.

An Act for enlarging the Powers of an Act of King *George* the Second, and an Act of His present Majesty, for draining Lands in *Waterbeach Level*, in the County of *Cambridge*. [21st *May* 1813.]

WHEREAS an Act was passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the effectual Draining and Preservation of* Waterbeach Level, *in the County of* Cambridge, *and to establish an Agreement made between the Lord of the Manor of* Waterbeach cum Denny *and the Commoners within the said Manor:* And whereas an Act was passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled *An Act to alter, amend, and render more effectual an Act made in the Fourteenth Year of the Reign of His late Majesty King* George *the Second, intituled* 'An Act for the effectual Draining and Preservation of Waterbeach 'Level, *in the County of* Cambridge, *and to establish an Agreement made* 'between the Lord of the Manor of Waterbeach cum Denny *and the Com-* 'moners within the said Manor;' *and also to raise a further Sum for the Improvement and Security of the said Level:* And whereas by the said last mentioned Act, all and singular the Fen Lands and Grounds therein comprized, were taxed and made chargeable with an annual Rate or Assessment of Two Shillings for every Acre of the said Fen Lands and

14 G. 2.

37 G. 3.

Low Grounds, until all the Money borrowed or due on the Credit of the Rates and Aſſeſſments made on the ſaid Fen Lands and Low Grounds, by virtue of the ſaid Act of the Fourteenth Year of His late Majeſty, and alſo all the Money which ſhould be borrowed by virtue of the ſaid Act of the Thirty-ſeventh Year of His preſent Majeſty, ſhould be paid off, or otherwiſe reduced to a Sum not exceeding Fifty Pounds in the Whole: And whereas by virtue of the ſaid laſt-mentioned Act, the Commiſſioners thereby appointed, are authorized to collect certain Tolls for Horſes, Mules, Aſſes, Oxen, Sheep, and other Cattle paſſing and repaſſing along certain of the Banks within the ſaid Level, ſupported and kept in Repair by the ſaid Commiſſioners, and commonly uſed as a Towing Path for the Hawling and Towing of Lighters and other Veſſels: And whereas for the Purpoſe of making and preſerving the ſeveral Works of Drainage, authorized and directed to be done by virtue of the ſaid recited Acts reſpectively, the ſaid Commiſſioners have aſſeſſed the ſaid ſeveral Lands and Grounds, with the ſeveral Rates and Taxes, which they the ſaid Commiſſioners are by the ſaid recited Acts reſpectively authorized to impoſe; and they have alſo borrowed ſeveral Sums of Money upon the Security of ſuch Parts of the Rates and Tolls as they the ſaid Commiſſioners are by the ſaid Acts reſpectively authorized to borrow Money upon, and they have aſſigned over the ſaid Rates and Tolls for ſecuring the Money ſo borrowed with the Intereſt thereof, and a conſiderable Debt now remains due upon the Aſſignment of the ſaid Rates and Tolls, and otherwiſe on account of the ſaid Lands and Grounds: And whereas the ſaid Rates or Taxes, and Tolls authorized to be raiſed by the ſaid recited Acts reſpectively, on the Credit of which the ſaid Commiſſioners are by the ſaid recited Acts reſpectively authorized to borrow Monies, have been found inſufficient for the Payment of the Intereſt of the Monies borrowed on the Credit thereof, and for maintaining and keeping in Repair the ſeveral Works of Drainage, to which ſuch Rates, Taxes and Tolls are, by the ſaid recited Acts made applicable, and the Powers given to the ſeveral Commiſſioners are found to be inadequate to the effectual Drainage and Preſervation of the Lands and Grounds contained in the ſaid Level, and it is therefore neceſſary to repeal certain Parts of the ſaid recited Acts, and to make ſome Alterations and Amendments therein, and for the more effectual draining and preſerving the ſaid Fen Lands and Low Grounds contained in the ſaid Level, and the Works already erected under the Authority of the ſaid recited Acts, that additional Works and Drains ſhould be made and conſtructed, for which Purpoſe it is requiſite that a Power to purchaſe Lands for the Erection of ſuch Works, and other more extenſive Powers ſhould be granted to and veſted in the ſaid Commiſſioners, and that additional Taxes and Rates ſhould be laid on all the Lands ſubject thereto, and the Tolls granted by the ſaid laſt recited Act increaſed, in order to raiſe Money to anſwer the aforeſaid Purpoſes: May it therefore pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, all the ſeveral Clauſes, Proviſoes, Authorities, Powers, Reſtrictions, Indemnities, and other Matters and Things contained in the ſaid recited Acts of the Fourteenth Year of the Reign of His late Majeſty King *George* the Second, and of the Thirty-ſeventh Year of the Reign of His

preſent

preſent Majeſty, ſo far as the ſame relate to the draining, preſerving and otherwiſe improving the ſaid Lands and Grounds within the ſaid Level (except ſuch Part or Parts of them, or either of them, as are by this Act varied, altered, taken away, or repealed) ſhall be in full Force and Effect, in ſuch and the like Manner in all Reſpects, and to all Intents and Purpoſes, as if the ſame were repeated and re-enacted by this Act.

Commiſſioners. II. And be it enacted, That ſo much of the ſaid recited Acts, or either of them, as regards the Appointment of Commiſſioners for carrying the ſame into Execution ſhall be, and the ſame is hereby repealed, and that from and immediately after the paſſing of this Act, the Lord or Lords, Lady or Ladies of the Manor of *Waterbeach with Denny*, for the Time being, his, her, or their Steward for the ſaid Manor, his, her, or their Agent, appointed by Writing under the Hand or Hands of the Lord or Lords, Lady or Ladies of the ſaid Manor for the Time being, the Appropriator of the Rectory of *Waterbeach* for the Time being, the Leſſee or Leſſees for Lives of the Rectory of *Waterbeach* for the Time being, the Vicar of *Waterbeach* for the Time being, the Right Honourable *Philip* Earl of *Hardwicke*, or his Steward or Agent for the Time being; the Lord or Lords, Lady or Ladies of the Manor of *Stretham*, for the Time being, his, her, or their Steward of the ſaid Manor, his, her, or their Agent appointed by Writing under the Hand or Hands of the Lord or Lords, Lady or Ladies of the ſaid Manor of *Stretham* for the Time being; the Rector of *Stretham* for the Time being, the Lord or Lords, Lady or Ladies of the Manor of *Thetford* for the Time being, or his, her, or their Steward or Agent of and for the ſaid Manor for the Time being; the Lord or Lords, Lady or Ladies of the Manor of *Wicken*, for the Time being, or his, her, or their Steward or Agent of and for the ſaid Manor for the Time being; the Appropriator of the Tithes of *Wicken* for the Time being; and alſo the Commiſſioners appointed under the ſaid recited Acts, or either of them, and ſuch Perſon or Perſons as ſhall be appointed in purſuance of the Proviſo herein-after contained, ſhall be the Commiſſioners for putting this Act, and the ſaid recited Acts, into Execution.

Commiſſioners to chooſe others. III. And be it further enacted, That upon the Death, Reſignation, or Refuſal of any of the Commiſſioners herein-before named, to act other than except the Lord or Lords, Lady or Ladies, of the ſaid ſeveral and reſpective Manors for the Time being, or his, her, or their reſpective Stewards and Agents for the Time being, of or for the ſaid ſeveral and reſpective Manors, the Appropriator of the Rectory of *Waterbeach* for the Time being, the Leſſee or Leſſees, for Lives, of the Rectory of *Waterbeach* for the Time being, the Vicar of *Waterbeach* for the Time being, the Right Honourable *Philip* Earl of *Hardwicke*, or his Steward or Agent, the Rector of *Stretham* for the Time being, and the Appropriator of the Tithes of *Wicken* for the Time being, it ſhall and may be lawful to and for the remaining Commiſſioners, or the major Part of them aſſembled at ſuch annual Meeting to be held as herein-after mentioned, to chooſe and ſupply, from Time to Time, One or more Commiſſioner or Commiſſioners in the Place or Places, of any of the ſaid Commiſſioners who ſhall depart this Life, or reſign, or refuſe to act as aforeſaid, and every ſuch new

Commiſſioner or Commiſſioners, ſo to be from Time to Time choſen and ſupplied as aforeſaid, ſhall from thenceforth have the like Power and Authority to act and do in all Things as the ſaid Commiſſioners herein-before named are authorized or empowered to do by virtue of this Act, and ſhall never exceed the Number of Nine, except as herein-after is mentioned, Two of which ſaid Commiſſioners to be choſen as aforeſaid, ſhall, for the Time being, be *bona fide* ſeiſed or poſſeſſed of in his own Right, or in the Right of his Wife, of One hundred Acres of Land, ſubject to be taxed by virtue of this Act, the ſaid recited Acts, or any or either of them, within the ſaid Pariſh of *Waterbeach*; Two more of which ſaid Commiſſioners ſhall each be, for the Time being, *bona fide*, ſeiſed in his own Right, or in that of his Wife, of at leaſt Two Commonable Meſſuages having Right of Common within the ſaid Pariſh of *Waterbeach* aforeſaid; Two more whereof ſhall, for the Time being, each be *bona fide* ſeiſed or poſſeſſed of in his own Right, or in that of his Wife, of at leaſt Sixty Acres of ſeveral Lands within the ſaid Pariſh of *Stretham* aforeſaid, ſubject to be taxed by virtue of this Act, the ſaid recited Acts, or either of them; and Two others of the ſaid Commiſſioners ſhall each be for the Time being *bona fide* ſeiſed or poſſeſſed of in his own Right, or in that of his Wife, of at leaſt One Commonable Meſſuage having Right of Common within the ſaid Pariſh of *Stretham*; and One other of the ſaid Commiſſioners ſhall be *bona fide* ſeiſed or poſſeſſed of in his own Right, or in that of his Wife, of at leaſt One Commonable Meſſuage having Right of Common within the Pariſh of *Thetford* aforeſaid; which Order and Method ſhall be obſerved as to the Choice of the ſaid Commiſſioners to be choſen and ſupplied from Time to Time hereafter, *toties quoties*, as Occaſion ſhall require, for ever.

For chooſing additional Commiſſioners.

IV. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them, from Time to Time, and at all Times for ever hereafter, at any of their Annual Meetings, to be held as herein-after is mentioned, to elect and chooſe any Perſon, who for the Time being ſhall be *bona fide* ſeiſed or poſſeſſed in his or her own Right, or in Right of his Wife, of One hundred Acres of Land, ſubject to be taxed by virtue of this Act, or the ſaid recited Acts, or either of them, to be a Commiſſioner for putting this Act and the ſaid recited Acts into Execution; and every ſuch Perſon ſo to be elected and choſen ſhall from thenceforth have the like Power and Authority to act and do in all Things as the ſaid Commiſſioners herein-before named are authorized and empowered to do by virtue of this Act.

Commiſſioners being Owners of 200 Acres and upwards to appoint a Deputy to act in their Abſence.

V. And be it further enacted, That every Commiſſioner who ſhall be *bona fide* ſeiſed or poſſeſſed as aforeſaid of Two hundred Acres and upwards of Land, liable to be taxed by virtue of this Act, or the ſaid recited Acts, or either of them, may and is hereby authorized, and empowered, by Writing under his or her Hand, to appoint an Agent to be a Commiſſioner for executing this Act, and that every Perſon ſo appointed ſhall during the Pleaſure of the Commiſſioner appointing, and the Time that ſuch Commiſſioner ſhall be ſo ſeiſed or poſſeſſed of ſuch a Quantity of Land as aforeſaid, likewiſe be and he is hereby appointed a Commiſſioner for the Purpoſes aforeſaid, but to act only in the Abſence of the Commiſſioner by whom ſuch Agent ſhall be ſo appointed.

VI. And

No Perſon to act as a Deputy Commiſſioner till his Appointment.

VI. And be it further enacted, That no Perſon appointed an Agent as aforeſaid, ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have delivered in his Appointment in Writing under the Hand of the Commiſſioner appointing him, at ſome Meeting of the Commiſſioners, and that every ſuch Appointment ſhall be filed among the Proceedings of the Meeting at which the ſame ſhall be delivered, and a Minute thereof ſhall be entered by the Clerk attending ſuch Meeting in the Book of the ſaid Commiſſioners containing the Entry of ſuch Proceedings.

Perſons not to act where intereſted.

VII. And be it further enacted, That no Perſon holding any Place of Profit under the ſaid Commiſſioners, except the Clerk and Treaſurer, ſhall act or be qualified to act as a Commiſſioner under this Act.

Penalty on appointing a Deputy without being qualified.

VIII. Provided always, and be it further enacted, That if any Perſon not being qualified as herein-before is preſcribed ſhall act as a Commiſſioner in the Execution of this Act, or the ſaid recited Acts or either of them, or if any Perſon not being qualified as herein-before preſcribed in that reſpect ſhall appoint any Deputy to act as a Commiſſioner in the Execution of this Act, or the ſaid recited Acts, or either of them, every Perſon ſo offending in either of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, to be recovered with full Coſts of Suit by any Perſon or Perſons who ſhall inform or ſue for the ſame in any of His Majeſty's Courts of Record at *Weſtminſter*, by Bill, Plaint, Suit or Information, wherein no Eſſoin, Protection, Privilege, or Wager of Law, nor more than One Imparlance ſhall be allowed, and in ſuch Action or Suit it ſhall only be neceſſary for the Plaintiff or Informer to prove that the Defendant acted as a Commiſſioner in the Execution of this Act, or the ſaid recited Acts, or either of them, and a Verdict ſhall be found againſt ſuch Defendant, unleſs he ſhall prove in his Defence that he was at the Time of his ſo acting, or appointing a Deputy properly qualified to act, or appoint a Deputy according to the true Intent and Meaning of this Act, or the ſaid recited Acts, or either of them.

Commiſſioners to defray their own Expences.

IX. And be it further enacted, That at all Meetings whatſoever holden under the Authority of this Act, the ſaid recited Acts, or either of them, the Commiſſioners attending ſuch Meetings ſhall pay and bear their own Expences.

Meeting of Commiſſioners.

X. And be it further enacted, That the Firſt Meeting of the ſaid Commiſſioners ſhall be holden at the Public Houſe or Inn called the *Sun Inn*, in *Waterbeach*, on the Third *Tueſday* next after the paſſing of this Act, and that one General Meeting of the ſaid Commiſſioners ſhall be holden in every Year, (that is to ſay), on the Firſt *Tueſday* in the Month of *October*, at ſome Inn or Public Houſe in *Cambridge*, or at ſuch other Place as any Five of the Commiſſioners or more of them ſhall appoint; and it ſhall be lawful for the ſaid Commiſſioners to hold other Meetings at ſuch other Time or Times, and Place, in *Waterbeach* or *Stretham* aforeſaid, as any Five or more of the ſaid Commiſſioners ſhall conſider neceſſary, and ſhall by Notice in Writing under their Hands appoint; and the ſaid Commiſſioners may from Time to Time adjourn any Meeting or Meetings, to

be held by virtue of this Act, to such Time as they shall think proper at *Waterbeach* or *Stretham* aforesaid, all which last-mentioned Meetings and Adjournments thereof, (except Meetings by Adjournment from Day to Day,) shall be holden alternately at *Waterbeach* and *Stretham* aforesaid, and if Five Commissioners shall not be present at the Time and Place appointed for holding any such Meeting, then and in every such Case any One Commissioner present, or the Clerk to the said Commissioners, shall and may adjourn the same to any Time not exceeding Twenty-one Days from the Time when the last Meeting was appointed to be holden, and to the Place last appointed, and that public Notice shall be given in Manner herein-after directed of every Meeting to be holden under the Authority of this Act, except Meetings of Adjournment from Day to Day, Fourteen Days previously to such Meeting, setting forth the Object thereof, and no Act of the said Commissioners shall be valid unless done at some Meeting or adjourned Meeting, holden under the Authority of this or the said recited Acts, except signing such Notice for calling any Meeting, or signing any Warrant of Distress, and all Powers and Authorities granted to or vested in the said Commissioners, shall and may from Time to Time, be exercised by the major Part of them present, at any Meeting, provided that not less than Five Commissioners be present at such Meeting, and the Commissioners present at every Meeting shall choose a Chairman, who in the Case of Equality of Votes on any Question, including the Vote of such Chairman, shall have the decisive or casting Vote, and the first Business done at any Meeting shall be the Election of such Chairman.

Notice of Meetings how to be given.

XI. And be it further enacted, That all Notices of Meetings of the said Commissioners, and all other Notices hereby required to be given, shall be given by advertising the same Twice in the *Cambridge Chronicle*, or in some other Newspaper, printed in and circulated in the said County of *Cambridge*.

Orders not to be revoked without Notice.

XII. Provided always, and be it further enacted, That no Order or Proceeding, made or had by the said Commissioners at any Meeting shall be revoked, annulled or altered, unless at a subsequent Meeting at which Seven Commissioners at least shall be present, nor unless a Notice signed by Five or more Commissioners, stating that the Object of such Meeting is to revoke, annul and alter any Order or Proceeding, shall be given in Manner aforesaid at least Fourteen Days before such Meeting.

Entries of Proceedings good Evidence.

XIII. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose, of all the Acts, Orders, Rules, Regulations, Directions and Proceedings of the said Commissioners relative to the Execution of this Act, and the said recited Acts, or either of them, and of the Names of the Commissioners who shall be present at the respective Meetings, and the same shall be signed by the Chairman at such Meeting, and all such Entries being so signed shall be deemed Originals, and shall be deemed good Evidence in all Cases concerning or arising from any Thing done in pursuance of this Act, or of the said recited Acts, or either of them, and shall be allowed to be read in Evidence in all Courts whatsoever, and otherwise as Occasion shall require.

XIV. Provided

Entries of Proceedings under former Acts good Evidence.

XIV. Provided always, and be it further enacted, That all and every Book or Books, in which any Entry or Entries, of any Proceeding or Proceedings, relating to or in anywise appertaining to the Lands and Grounds to be preserved and drained by virtue of the said recited Acts, or either of them, or of any of the Commissioners, or other Person or Persons, acting by or under the Authority of the said recited Acts or either of them, shall be deemed to be good and sufficient Evidence thereof in all Courts.

Commissioners may appoint Treasurer, &c.

XV. And be it further enacted, That it shall and may be lawful for the said Commissioners at any of their Meetings, to be holden under this Act, to appoint such Treasurers, Clerks, Surveyors, Collectors, and other Officers as they shall think necessary for the better Execution of this Act, or the said recited Acts, or either of them respectively, and to pay such Clerk, Treasurer, Collector, Surveyor or other Officer, such Salary or other Remuneration out of the Monies to be raised by virtue of this Act, or the said recited Acts, or either of them, as they the said Commissioners shall think proper, and from Time to Time to remove them or any of them, as they the said Commissioners shall see Occasion, and in like Manner to appoint others in their Stead: Provided always, that all Treasurers, Collectors, and other Officers, who shall be entrusted with the Receipt or Collection of any Monies to be raised by virtue of this Act, the said recited Acts, or either of them, shall respectively give such Security for the due Execution of their respective Offices as to the said Commissioners or any Five or more of them shall seem meet.

Treasurers, Collectors, and other Officers, to keep Account.

XVI. And be it further enacted, That the said Treasurers, Collectors, and other Officers, shall fairly enter in Books to be by them respectively kept for that Purpose, an Account of all Monies by them respectively received and expended, specifying the Times when the Persons from whom and to whom, and for what Purpose such Monies were respectively received and paid, which Books or true Copies thereof to be signed by the said Treasurers, Collectors or other Officers respectively, together with the Vouchers for such Expenditures, and also all Books and Papers whatsoever relating to the Execution of this Act, the said recited Acts, or either of them, shall be the Property of the said Commissioners, and shall be delivered to the said Commissioners, at such Time or Times, and as often as they the said Commissioners shall require, and they the said Commissioners are hereby empowered and required at least once in every Year to pass, allow, and sign such Accounts, or such Part or Parts thereof as to them shall seem proper, and all such Treasurers, Collectors, and other Officers, shall verify all such Accounts upon Oath or Affirmation, which Oath or Affirmation any One of the said Commissioners is hereby empowered to administer, and the same Accounts when so allowed, and also all such Receipts and Vouchers shall be kept by the said Commissioners or their Clerks, and all Books of Orders, Accounts, and Vouchers, and all other Books and Papers of the said Commissioners, shall at all Times be open for the Inspection of the said Commissioners, or of any Owner of the Lands and Grounds subject to be taxed by virtue of this Act, the said recited Acts, or either of them, on Payment of One Shilling only for every Time such Inspection shall take place.

XVII. And

Officers refusing to account may be imprisoned, and Balance due from them levied by Distress.

XVII. And be it further enacted, That in case any of the Treasurers, Collectors or other Officers, shall refuse or neglect to account in Manner herein-before directed, to the Satisfaction of the said Commissioners, according to the Direction of the said Commissioners, then and in every such Case, it shall and may be lawful upon the Complaint of any Five or more of the said Commissioners, for any One or more of the Justices of the Peace for the said County of *Cambridge*, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to commit such Person to the Common Gaol or House of Correction, in the County aforesaid, there to remain without Bail or Mainprize, until he or they shall have rendered a true and perfect Account to the said Commissioners, according to the Direction of this Act, and in case any of the said Treasurers, Collectors, or other Officers shall refuse or neglect to pay the Monies due upon the Balance or Balances of the respective Accounts, according to the Direction of the said Commissioners, it shall be lawful upon the Complaint of any Five or more of the said Commissioners, for any One or more of the Justices of the Peace for the said County of *Cambridge*, by Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, to levy by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting as last aforesaid, such Sum or Sums of Money as he or they shall have been so required to account for, or as shall have been found, or shall appear to be due upon the Balance of his or their Account or Accounts, and for want of sufficient Distress, it shall and may be lawful for any One or more of such Justices, by Warrant or Warrants, under his or their Hand and Seal or Hands and Seals, to commit such last-mentioned Person or Persons to the Common Gaol or House of Correction, in the County aforesaid, there to remain without Bail or Mainprize, until he or they shall have paid all such Monies as shall happen to be remaining in his, her or their Hands, on the Balance of his or their Account or Accounts, to the said Commissioners, according to their Appointment, or shall have compounded for the same, and shall have paid such Composition Money, which Composition they the said Commissioners are hereby authorized to take and accept, or the said Commissioners may bring, and they are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions, in any of His Majesty's Courts of Record at *Westminster*, against such Officer or Officers, and against his or their Surety or Sureties, and also upon any Security or Securities, which shall have been given or entered into, by and between such Officer or Officers, for Recovery of the Monies that shall be due from such Officer or Officers respectively, and where any Clerk, Treasurer, Collector or other Officer, or any Person employed by the said Commissioners shall neglect or refuse to deliver up to the said Commissioners all Books, Vouchers, and Papers in his Custody, relating to any Proceedings or Accounts of the said Commissioners, it shall be lawful for any such Justice or Justices as aforesaid, upon Complaint of any Five or more of the said Commissioners, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to commit such Person to the Common Gaol or House of Correction, in the County aforesaid, there to remain, without Bail or Mainprize, until he shall have delivered up to the said Commissioners all such Books, Vouchers, and Papers as aforesaid: Provided always, that no Person who shall be committed for want of sufficient Distress only, shall be detained in Prison for any longer Time than Twelve Calendar Months.

XVIII. And

Persons employed under the former Acts to account.

XVIII. And be it further enacted, That all and every Person and Persons, who shall have been employed by the Commissioners, acting by virtue of the said recited Acts, or either of them, as Clerk, Treasurer, Collector, or other Officer, in the Execution of the said recited Acts, or either of them, who shall have in his or their Hand, Custody or Possession, any Money, Books, Accounts, Writings or other Things received by virtue of, or relating to the Execution of the said recited Acts, or either of them, shall account for the same, and every Part thereof, and shall deliver up the same to the Commissioners hereby appointed, in like Manner, and shall be subject and liable to the like Penalties as the several Clerks, Treasurers, Collectors or other Officers, appointed by virtue of this Act, are hereby made subject and liable to, for refusing or neglecting duly to account and pay over the Monies received by them, by virtue of this Act, to the said Commissioners, or for refusing or neglecting to verify such Accounts upon Oath, or to deliver up as aforesaid any Books, Accounts, Vouchers, Papers or Writings, relating to the Execution of this Act.

Officers to be appointed for opening and shutting down Tunnels, &c.

XIX. And be it further enacted, That the said Commissioners, at their said Annual Meeting, to be holden on the First *Tuesday* in *October*, or at any other Meeting, shall and may, and they are hereby authorised and required to appoint One or more Officer or Officers, for the Purpose of opening and shutting down the Tunnels already set down and made use of, or to be set down and made use of, under and by virtue of this Act, or the said recited Acts, or either of them; and that no such Tunnel or Tunnels, Sluice or Sluices, shall at any Time or Times be opened or shut down, but by the said Officer or Officers, or by his or their Direction; and that it shall be lawful for the said Commissioners at the said Annual Meeting, or at any other Meeting, to make such Order or Orders, touching the opening and shutting down of the said Tunnel or Tunnels, Sluice or Sluices, as they shall think proper, and that the said Officer or Officers, and all and every other Person or Persons, who shall open and shut the said Tunnels and Sluices, or any of them, contrary to such Order or Orders of the said Commissioners, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, to be recovered in Manner herein-after mentioned.

Commissioners may sue and be sued in the Name of their Clerk or Treasurer.

XX. And be it further enacted, That the said Commissioners may and shall in all Cases sue and be sued in the Name of their Clerk or Treasurer, and that no Action which shall be brought or commenced, or Indictment, or Appeal, which shall be preferred or prosecuted by or against the said Commissioners, by virtue or on account of this Act, in the Name of such Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Commissioners, but the Clerk or Treasurer for the Time being shall always be deemed Plaintiff, Prosecutor, or Defendant in any such Action, Indictment, Suit, or Appeal, as the Case may be: Provided always, that every such Clerk or Treasurer, in whose Name any Action, Indictment, Suit, or Appeal shall be commenced, preferred, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings, he shall be put

to or become chargeable with, by reaſon of his being made Plaintiff, Defendant, or Appellant therein.

Lands may be ſurveyed.

XXI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners at their Meeting to be held on the Firſt *Tueſday* in *October*, after the paſſing of this Act, to cauſe the Lands compriſed within the Limits of this Act to be ſurveyed and meaſured, in order to aſcertain the Quantity of Lands liable to be taxed, and the exact Quantity belonging to each particular Perſon or Perſons, and to pay the Expenſes thereof out of the Monies which ſhall come to their Hands by virtue of this Act, and which Survey and Admeaſurement ſhall be made and delivered to the ſaid Commiſſioners, at any Meeting to be holden by them, by virtue of this Act, previous to the next general Annual Meeting, or at fartheſt at the then next general Annual Meeting to be holden at *Cambridge*, for the Purpoſes of the ſaid Act; and ſuch Survey and Admeaſurement, when ſo made, ſhall be delivered to the ſaid Commiſſioners, at ſome one of their Meetings, as ſhall be verified upon Oath or Affirmation of the Perſon or Perſons making the ſame, which Oath or Affirmation any One or more of the ſaid Commiſſioners are hereby authoriſed to adminiſter, and by ſuch Survey and Admeaſurement, when ſo verified, the Commiſſioners ſhall make and collect the ſaid Rates and Taxes, and the ſame ſhall be binding on the ſeveral Perſons charged with the Payment of ſuch Rates and Taxes, for their ſeveral Lands charged, and ſuch Survey and Admeaſurement being ſigned by the Perſon or Perſons making the ſame, and alſo by Seven or more of the ſaid Commiſſioners, ſhall be, and ſhall be allowed as Evidence in all His Majeſty's Courts of Law, and in all Caſes whatſoever: Provided always, that until ſuch Survey or Admeaſurement ſhall be made as aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners to make and collect the ſaid Rates and Taxes, according to any Survey or Admeaſurement by which they have hitherto made and collected the Rates and Taxes under the ſaid recited Acts, or either of them.

Commiſſioners empowered to make other Works.

XXII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or the Majority of them, aſſembled at any Meeting, holden under the Authority of this Act, from Time to Time, as there ſhall be Occaſion, to give Orders and Directions for making ſuch other additional Cuts, Drains, Tunnels, Outlets, Headings, and other Works, upon any Part or Parts of the Fen Lands and Grounds compriſed within the Limits of this Act, or the ſaid recited Acts, or either of them, and for erecting ſuch additional Banks, Staunches, Bridges, Sluices, Mills, and Engines thereupon, for draining and conveying the Water from the ſame, as in the Judgment of the ſaid Commiſſioners ſhall be thought neceſſary for the Embanking and Preſervation of the ſaid Fen Lands and Grounds, and for the general Improvement of the ſaid Level; and ſhall maintain, clean, and keep in Repair, ſuch additional Cuts, Drains, Tunnels, Outlets, Banks, Staunches, Bridges, Sluices, Mills, and Engines, made under the Authority of this Act, and the Works already made by virtue of the ſaid recited Acts, they the ſaid Commiſſioners making ſuch reaſonable Satisfaction to the Perſon or Perſons intitled to the ſeveral Lands and Grounds, in, through or upon which any ſuch additional Cut, Drain, Dam, Tunnel, Outlet, Heading, or other Work, ſhall be made or done,

done, or upon which any ſuch Bank, Staunch, Sluice, Mill or Engine, ſhall be erected, for the Damages occaſioned thereby, as ſhall be agreed upon between the ſaid Commiſſioners reſpectively, and the Perſon or Perſons entitled as aforeſaid; and if the ſaid Commiſſioners, and ſuch Perſon or Perſons, cannot agree about the Amount of ſuch Damage, then the ſame ſhall be ſettled, aſſeſſed, and determined in Manner herein-after mentioned.

XXIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend to authoriſe or empower the ſaid 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 or in any Reſpect varying from any Order or Orders that ſhall be made either before or after by the Governor, Bailiffs, and Conſervators of the *Bedford Level* Corporation, touching or relating to any of the Rivers, Drains, Wears, Dikes, 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 the Great Level of the Fens called *Bedford Level*, or of the Governor, Bailiffs, and Conſervators of the ſaid Corporation.

Notice to be given when any new Work is propoſed to be done.

XXIV. And be it further enacted, That when it is intended or propoſed to make any new Bank, Sluice, Cut, Drain, Tunnel, Outlet, Heading 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 ſaid Commiſſioners, and ſpecifying the Work or Works propoſed to be done, ſhall be given by advertiſing the ſame Twice previouſly to ſuch Meeting, in the *Cambridge Chronicle and Journal*, or in ſome other Country Newſpaper uſually circulated in the County of *Cambridge*.

Gateways to have Tunnels.

XXV. And be it further enacted, That where any Gate or Gates are or ſhall be placed againſt any of the Drains now made, or hereafter to be made, by virtue of this Act, or the ſaid recited Acts, or either of them, the Proprietor or Proprietors of ſuch Gate or Gates ſhall be, and he is hereby required at his, her or their own proper Coſts and Charges, within Six Calendar Months from the Time of paſſing this Act, or from the Time ſuch Gate or Gates ſhall thereafter be placed in all and every Place or Places, where ſuch Gate or Gates ſhall be placed, to make or cauſe to be made, a competent and ſufficient Tunnel or Bridge over the ſaid Drain, of a Capacity equal to the Neceſſity of the Caſe, and ſhall from Time to Time for ever afterwards, at his, her or their own Coſts and Charges, make and keep open, and in good Repair, the ſaid Tunnels or Bridges, and every of them; and in caſe ſuch Proprietor or Proprietors ſhall neglect or refuſe to make ſuch Tunnels or Bridges as aforeſaid, within the Time herein-before limited for that Purpoſe, or ſhall neglect or refuſe, after ſuch Tunnels or Bridges ſhall be made as aforeſaid, to make and keep the ſame open and in good Repair, within the Space of Twenty-one Days after Notice for that Purpoſe ſhall be given by Order of any Five of the ſaid Commiſſioners to ſuch Proprietor or Proprietors, or left at his, her or their laſt or uſual Place of Abode, or with or for the Tenant in Poſſeſſion of the Premiſes, then and in every ſuch Caſe it ſhall and may be lawful for any Five of the

ſaid Commiſſioners, in either of ſuch Caſes, to make and keep open, and in good Repair, ſuch competent and ſufficient Tunnels or Bridges, immediately after the Expiration of ſuch Notice ſo given for that Purpoſe, and ſuch Proprietor or Proprietors ſhall reimburſe and pay to the ſaid Commiſſioners, all ſuch Coſts, Charges, and Expences, as ſhall attend the making of ſuch competent Bridges and Tunnels, and keeping the ſame, from Time to Time, open and in good Repair, and ſuch Coſts, Charges, and Expences ſhall and may be recovered by the ſaid Commiſſioners, in ſuch and the ſame Manner as the Taxes hereby directed or authorized to be raiſed, are or may be recoverable.

Commiſſioners may take Earth from Bouts.

XXVI. And be it further enacted, That for the better procuring Earth proper for the repairing the Banks and other Works within the ſaid Level, it ſhall and may be lawful for the ſaid Commiſſioners, or any Five of them, or for 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 ſaid Commiſſioners, for the repairing of the ſaid Banks, making ſuch reaſonable Satisfaction to the Perſon or Perſons intitled to the ſame, for the Damages occaſioned thereby, as ſhall be agreed upon between the ſaid Commiſſioners and the Perſon or Perſons intitled as aforeſaid; and if the ſaid Commiſſioners, or ſuch Perſon or Perſons cannot agree about the Amount of ſuch Damage, then the ſame ſhall be ſettled, aſſeſſed, and determined, in Manner after mentioned.

Power to make Tunnels from the Cam for watering Stock.

XXVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Five or more of them, to order and direct any Tunnel or Tunnels to be made from the River *Cam* into the Ditches belonging to the Fen Lands and Low Grounds liable to be taxed by virtue of this Act, or the ſaid recited Acts, or either of them, for the Purpoſe of letting Water into the ſame for watering Cattle; and that no ſuch Tunnel or Tunnels ſhall be made by any Perſon or Perſons whomſoever, without the Conſent, in Writing, of Five of the ſaid Commiſſioners.

Commiſſioners may enter upon and agree for the Purchaſe of Lands, &c.

XXVIII. And be it further enacted, That the Commiſſioners ſo appointed, or to be appointed, by virtue of this Act, ſhall have full Power and Authority to enter upon the Lands, Tenements, or Hereditaments within the Limits of the ſaid recited Act or of this Act, of any Perſon or Perſons adjoining or near to any of the Banks, Sluices, Cuts, Drains, Dams, Tunnels, Outlets, Headings, or other Works, which they, the ſaid Commiſſioners, are hereby directed or authorized to make or do, and to take and dig Earth 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, and for that Purpoſe, the ſaid Commiſſioners are hereby empowered to agree with the Proprietors of, and Perſons intereſted in any Lands, Tenements, or Hereditaments, which they 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, or other Works hereby directed or authorized to be made or done, for the Purchaſe of ſuch Lands, Tenements, and Hereditaments, or for the Recompence to be made to ſuch Proprietors and 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

ſhall be paid to the ſeveral Perſons intereſted in the Premiſes, and it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, and Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſon or Perſons who are or ſhall be ſeiſed or intereſted in their own Rights, and for all and every other Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Lands, Tenements, or Hereditaments, to contract for, ſell, and convey unto the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, any Lands, Tenements, or Hereditaments, for the Purpoſes aforeſaid, or to agree with the ſaid Commiſſioners for any Recompence or Compenſation to be made for the Damages which may be done to any ſuch Lands, Tenements, or Hereditaments, for the Purpoſe aforeſaid, or to agree with the ſaid Commiſſioners for any Recompence or Compenſation to be made for the Damages which may be done to any ſuch Lands, Tenements, or Hereditaments, by the Means aforeſaid, and all ſuch Contracts, Sales, Conveyances, and Agreements, ſhall be valid and effectual in the Law, to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or Cuſtom, to the contrary notwithſtanding, and all Bodies Politic, Corporate, or Collegiate, and all Perſons whomſoever, are hereby indemnified for what they, or any of them, ſhall lawfully do in purſuance of this Act; but if it ſhall happen that any ſuch Body Politic, Corporate, or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons, intereſted or concerned as aforeſaid, ſhall for the Space of Forty Days after Notice in Writing given to the Principal Officer or Officers of ſuch Bodies Politic, Corporate, or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at his, her, or their Place or reſpective Places of Abode, or at the Houſe of the Tenant or Tenants, Occupier or Occupiers of ſuch Lands, Tenements, or Hereditaments, neglect or refuſe to treat, or ſhall not agree with the ſaid Commiſſioners, or by reaſon of Abſence ſhall be prevented from treating, then and in every ſuch Caſe, the ſaid Commiſſioners may, and they are hereby authorized and empowered, Fourteen Days at leaſt before any General Quarter Seſſions of the Peace, to be holden for the County of *Cambridge*, within Twelve Calendar Months after ſuch Lands, Tenements, or Hereditaments ſhall have been taken or uſed, or any Damage or Injury ſhall have been done to any ſuch Lands, Tenements, or Hereditaments for the Purpoſes aforeſaid, or to leave or cauſe to be left at his, her, or their uſual Place or Places of Abode reſpectively, or at the Place of Abode of the Tenant or Tenants in Poſſeſſion of the Premiſes, a Notice in Writing purporting that the Value of ſuch Lands, Tenements, or Hereditaments, and the Amount of the Damage or Injury done will be adjudged and ſettled by a Jury at the ſaid Seſſions, and the Juſtices at their ſaid Seſſions, or any Adjournment thereof, ſhall charge, and they are hereby authorized and required to charge the Jury, which ſhall attend at ſuch Seſſions, or ſome other Jury of Twelve honeſt and ſubſtantial Men, to be then and there impannelled, and returned by the Sheriff of the ſaid County, to cauſe them to be ſworn well and truly on their Oaths, to aſſeſs the Value of ſuch Lands, Tenements, or Hereditaments, and the Recompence to be given for the ſame, or for any Damages or Injury done as aforeſaid to the reſpective Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate,

Bodies Politic, &c. may contract for Sale of Lands, &c.

Seſſions to aſcertain Value of Lands, &c.

Jury to aſſeſs Damages.

legiate, having any Intereſt therein, or to the Owner or Owners thereof, according to their reſpective Intereſt, to which ſaid Juries the ſaid Commiſſioners, and all Parties intereſted, ſhall have their lawful Challenges when they come to be ſworn, and the Clerk of the Peace for the ſaid County is hereby empowered and required upon Application made to him by any of the Parties intereſted, by Subpœna or Summons under his Hand, to call before the Juſtices at ſuch Seſſions or any Adjournment thereof, any Perſon or Perſons who ſhall be thought proper to be examined touching or concerning the Premiſes, and the ſaid Jury upon their Oaths, (which Oaths, and alſo the Oaths to be taken by the Perſons who ſhall appear or be ſummoned to be examined and give Evidence as aforeſaid to the ſaid Juſtices at their ſaid Seſſions are hereby empowered and required to adminiſter) ſhall aſcertain and award the Recompence to be given for ſuch Lands, Tenements, or Hereditaments, or any Damage or Injury which ſhall have been done as aforeſaid to the reſpective Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, or Owner or Owners thereof, and the ſaid Juſtices ſhall and may give Judgment according to the Verdict of the ſaid Jury, and the Judgment thereupon declared and pronounced by the ſaid Juſtices, ſhall finally bind, and ſhall be concluſive to the ſaid Commiſſioners, and all Perſons and Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, and ſhall be entered and kept among the Records of the Quarter Seſſions of the ſaid County, and the ſame, or a true Copy thereof, being ſigned by the Clerk of the Peace of the ſaid County, ſhall be deemed and taken as good Evidence in all Courts of Law or Equity, and all Perſons may have Recourſe thereto, or take Copies thereof, or Extracts therefrom, on paying the uſual Fees paid in Caſes of the like Nature.

Witneſſes to be ſummoned.

Judgment to be final.

Expence of the Jury and Witneſſes by whom to be paid;

XXIX. And be it further enacted, That in all Caſes where any Verdict ſhall be given for any greater Sum or Recompence than ſhall have been offered by or on Behalf of the ſaid Commiſſioners, before Notice of the intended Application to be made to the ſaid Seſſions, for or in reſpect of any of the Matters aforeſaid, that then all the Expences of ſuch Application (including the Charges of the Witneſſes) ſhall be paid by the ſaid Commiſſioners out of the Rates and Taxes to be raiſed by virtue of this Act; but if any Verdict ſhall be given for no more or for a leſs Sum than ſhall haye been ſo previouſly offered by or on Behalf of the ſaid Commiſſioners, then and in every ſuch Caſe ſuch Expences ſhall be paid by the Owners of or Perſons intereſted in the Lands, Tenements, or Hereditaments upon or in reſpect of which ſuch Application ſhall have been made, all which Expences ſhall be regularly ſettled and allowed by the Juſtices in Seſſions, before whom the Matter ſhall be heard and determined: Provided always, that in all Caſes where any Perſon ſhall by reaſon of Abſence have been prevented from treating, ſuch Coſts and Expences ſhall be paid and borne by the ſaid Commiſſioners out of the Monies to be raiſed or received under or by virtue of this Act.

and ſettled by Juſtices.

Application of Compenſation where exceeding 200l.

XXX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any other Diſability or Incapacity, as herein mentioned, ſuch Money ſhall (in caſe the ſame ſhall exceed the Sum of Two hundred Pounds) with all convenient Speed be paid into the

Bank in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the ſaid Commiſſioners, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Diſcharge of any Debt or Debts, or Part thereof affecting the ſame Lands, Tenements, or Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Truſts, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Tenements, and Hereditaments, which ſhall be conveyed and ſettled, to, for, and upon ſuch and the ſame Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuage, Lands, Tenements, and Hereditaments ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled, or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect, and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, on the Requeſt of any Three or more of the ſaid Commiſſioners, in Writing, ſigned by them, and without any Order of the Court of Chancery, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court of Chancery to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to Time go and belong to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where Compenſation does not exceed 200l. nor is leſs than 20l.

XXXI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity aforeſaid, ſhall not exceed the Sum of Two hundred Pounds, nor be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being, entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, (in caſe of Infancy or Lunacy), to be ſignified in Writing under their reſpective Hands be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General, and be placed to his Account as aforeſaid in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Three or more of the ſaid Commiſſioners, ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties, in order that ſuch Money may be applied in Manner herein-before directed, ſo far as the Caſe may be applicable, without obtaining, or being required to obtain, the Direction and Approbation of the Court of Chancery.

XXXII. Pro-

Application where the Money is leſs than 20l.

XXXII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before is mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be paid to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, ſo purchaſed, taken, or uſed for the Purpoſes of this Act, or in caſe of Infancy or Lunacy, then to his or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Title; or in caſe Perſons cannot be found, Purchaſe Monies to be paid into the Bank;

XXXIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to ſuch Lands, Tenements, or Hereditaments to the Satisfaction of the ſaid Commiſſioners, or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons intitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Commiſſioners, or any Three or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England* in the Name and with the Privityof the aforeſaid Accountant General, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, [deſcribing them], ſubject to the Order, Controul, or Diſpoſition of the ſaid Court of Chancery, which ſaid Court of Chancery on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable, and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts of ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

ſubject to the Order of the Court of Chancery.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion at the Time of ſuch Purchaſe ſhall be deemed intitled thereto,

XXXIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching or concerning the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name and with the Privity of the ſaid Accountant General, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt, in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of this Act, or to any Bank Annuities, to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been

been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery, and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be applied and disposed accordingly, unless it shall be made to appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or of or to some Estate or Interest therein. according to such Possession.

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

XXXVI. And be it further enacted, 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, and they are hereby required, at their First Meeting to be held in pursuance of this Act, and afterwards yearly and every Year, at a Meeting to be held for that Purpose, to assess, rate, tax, and charge all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the said Fen Lands and Low Grounds, and all and every Commoner and Commoners having Right of Common on the Commonable Parts thereof, by an equal and proportionable Acre Tax, not exceeding the Sum of Five Shillings *per* Acre, over and above such other Acre Rates and Taxes, wherewith the said Fen Lands and Low Grounds, or any Part thereof, now are or may be charged or chargeable by the said recited Acts or either of them; and all Rates, Taxes, or Assessments, hereby directed or authorized to be raised, shall be paid to the Receiver or Receivers, Collector or Collectors, or Treasurer or Treasurers for the Time being, to be appointed by the said Commissioners at such Place or Places, and in such Proportion and Manner as they the said Commissioners, or any Five or more of them shall direct and appoint for that Purpose, and that the First Rate or Tax hereby directed or authorized to be laid on the said Fen Lands and Low Grounds, or Wastes, and all future Rates and Taxes to be charged and imposed on all the Fen Lands and Low Grounds, or Wastes, under the Authority of this Act, shall become due and payable at the End of One Calendar Month next after the same shall be laid on, and that public Notice of the Times and Places appointed for the Second and all future Payments of the said Rates and Taxes, shall be given by advertising the same Twice in the *Cambridge Chronicle*, or in some other Newspaper usually circulated in the County of *Cambridge*, and the said Rates and Taxes shall be applied in Manner hereinafter mentioned. Taxes when and how to be laid and payable.

For raiſing an additional Acre Tax of Five Shillings per Acre, and enabling the Commiſſioners to increaſe the Rates.

XXXVII. And whereas it would be highly advantageous and would greatly advance the Improvement of the ſaid Level, if a Fund was raiſed for the paying off the Sums already borrowed by the Commiſſioners under the ſaid recited Acts, and now due and owing on the Credit of the Rates thereby granted, and if the Commiſſioners under this Act were enabled from Time to Time, as may be neceſſary, to increaſe the ſaid Rates and Taxes herein-before granted, to a certain Sum of Five Shillings, over and above the ſaid Sum of Five Shillings *per* Acre, be it therefore further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, with the Conſent of Three Fourths in Value (ſuch Value to be aſcertained by the Amount of the Tax payable by each Proprietor reſpectively within the Year One thouſand eight hundred and twelve laſt paſt), of the Proprietors of the ſaid Fen Lands and Grounds, at a General Meeting of the ſaid Proprietors, to be held for that Purpoſe, whereof Fourteen Days Notice ſhall be given by the ſaid Commiſſioners, at any Time after the paſſing of this Act, and afterwards yearly and every Year (if they ſhall think it neceſſary), at the Meeting held for the Purpoſe of aſſeſſing and impoſing the Rates and Taxes herein-before granted, to aſſeſs, rate and tax all and every the reſpective Perſons liable to be aſſeſſed and taxed by virtue of this Act, the ſaid recited Acts, or either of them, with an additional or further annual Tax or Rate, not exceeding in any One Year the Sum of Five Shillings for every Acre of the ſaid Fen Lands and Low Grounds) over and above the before-mentioned Acre Tax of Five Shillings *per* Acre herein-before charged, and over and above ſuch other Acre Rates and Taxes, wherewith the ſaid Fen Lands and Low Grounds, or any Part thereof, now are or may be charged or chargeable by the ſaid recited Acts, or either of them, to be applied to the liquidating and paying off all the Monies borrowed and now due, and owing on the Credit of the ſaid recited Acts; and after ſuch additional Tax or Aſſeſſment ſhall have been laid on at any ſuch Meeting or Meetings as aforeſaid, the ſaid Commiſſioners, or any Five or more of them, who ſhall attend at any ſuch Meeting or Meetings as aforeſaid, may and are hereby authorized to continue the ſame, or any Part thereof, until all the Monies now due and owing as aforeſaid, ſhall be liquidated and paid off, and that after ſuch Debt ſhall be ſo liquidated and paid off, it ſhall and may be lawful for the ſaid Commiſſioners, with the Conſent of Two Thirds of the Proprietors of the ſaid Fen Lands and Grounds, at a General Meeting of the ſaid Proprietors to be held for that Purpoſe, whereof Fourteen Days Notice ſhall be given by the ſaid Commiſſioners, to continue the ſaid additional Tax or Aſſeſſment, or to reduce or wholly diſcontinue the ſame; and if after the ſame ſhall be diſcontinued it ſhall at any Time be found neceſſary again to lay on an additional Tax or Aſſeſſment, it ſhall and may be lawful for the ſaid Commiſſioners, with ſuch Conſent as aforeſaid, and at ſuch Meeting, whereof ſuch Notice as aforeſaid ſhall be given, to charge, tax and aſſeſs the ſaid Fen Lands and Low Grounds, with any Sum or Sums of Money, not exceeding the ſaid Sum of Five Shillings *per* Acre, to be recovered and applied; and the ſame Penalties ſhall be incurred for Non-payment of the ſame as is herein-after directed with regard to the other Rates and Taxes granted by this Act.

Taxes impoſed by former Acts when payable.

XXXVIII. And be it further enacted, That from and after the paſſing of this Act, all and every the Rates and Taxes wherewith the ſaid Fen Lands and Low Ground, or any Part thereof, now are or may be charged or chargeable

chargeable by the ſaid recited Acts, or either of them, ſhall become due and payable at the ſame Times and Places, and in the ſame Manner as the Rates and Taxes impoſed upon the ſaid Fen Lands and Low Grounds by virtue of this Act.

Penalty for Non-payment of Taxes.

XXXIX. And be it further enacted, That in caſe of Non-payment within One Calendar Month of the Rates or Taxes impoſed by this Act, or the ſaid recited Acts, or either of them, at the Time or Times, Place or Places appointed for that Purpoſe by the ſaid Commiſſioners, in Manner preſcribed by this Act, or the ſaid recited Acts, or either of them, for Payment thereof, every Perſon or Perſons neglecting to pay the ſame, ſhall forfeit and pay the Sum of Three Shillings and Four-pence for every Twenty Shillings due for ſuch Rates and Taxes, and not paid as aforeſaid, and ſo in proportion for any greater or leſs Sum than Twenty Shillings, to be recovered in the ſame Manner as the Rate and Taxes impoſed by virtue of this Act, are hereby authorized to be recovered.

Tenants to pay the Taxes, and to deduct the ſame out of their Rents.

XL. And be it further enacted, That all and every the Tenants and Occupiers of the ſaid Fen Lands and Low Grounds, or Waſtes which ſhall be aſſeſſed, rated, taxed, or charged by virtue of this Act, ſhall pay, and they are hereby authorized and required to pay all and every ſuch Sum and Sums of Money as ſhall be ſo aſſeſſed, rated, taxed, or charged upon or for or in reſpect of their reſpective Lands and Grounds in their ſeveral Occupations, to the Receivers, Collectors, Treaſurers, or other Perſon or Perſons appointed by the ſaid Commiſſioners to receive the ſame, and to deduct and retain out of his, her or their Rent, all ſuch Sum and Sums of Money as he, ſhe, or they ſhall reſpectively pay as aforeſaid, and the ſeveral and reſpective Landlords of ſuch Fen Lands or Low Grounds, or Waſtes are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents, and every ſuch Tenant or Occupier paying any ſuch Rate or Tax, ſhall be acquitted and diſcharged of ſo much Money as the ſaid Rate or Tax ſo paid by him or her ſhall amount to, as fully and effectually as if the ſame had been actually paid to his or her Landlord or Landlords.

But not to deduct Penalties.

XLI. Provided always, and be it further enacted, That where any Penalty or Penalties ſhall have been incurred for Non-payment of any Tax or Taxes by virtue of this Act, and ſuch Penalty or Penalties which ſhall have been levied by the ſaid Commiſſioners, by Diſtreſs upon the Goods, Chattels, or Stock of any Perſon or Perſons occupying any of the ſaid Fen Lands and Low Grounds, or Waſtes, and where any ſuch Penalty or Penalties ſhall have been paid by ſuch Occupier or Occupiers, all and every ſuch Penalty or Penalties, together with the Coſts, Charges and Expences of taking any ſuch Diſtreſs or Diſtreſſes, ſhall be borne and ſuſtained by ſuch Occupier or Occupiers reſpectively; and the Landlord or Owner, Landlords or Owners of ſuch Fen Lands, Low Grounds, or Waſtes, ſhall not be compelled or compellable to allow or pay any ſuch Penalty or Penalties or Expences, to ſuch Occupier or Occupiers, any Thing therein contained to the contrary thereof in any wiſe notwithſtanding.

No beneficial Leſſee to be allowed to deduct Taxes.

XLII. Provided always, and be it further enacted, That no Leſſee or Tenant of any Lands or Grounds charged with the Rates and Taxes impoſed by this Act, who ſhall hold ſuch Lands or Grounds, by virtue of

or

or under any Leaſe or Leaſes, from any Biſhop, Collegiate Church or College, or any Eccleſiaſtical Corporation, Sole or Aggregate, or by virtue of or under any other Leaſe or Agreement, of which other Leaſe or Agreement there ſhall be at the Time of paſſing this Act, more than Six Years to come and unexpired, ſhall be entitled to deduct any Part of the ſaid Rates or Taxes out of the Rent reſerved or payable by any ſuch Leaſe or Agreement, but that the ſaid Rates and Taxes ſhall be charged upon, and be paid and borne by the Leſſees or Tenants, ſo holding ſuch Lands or Grounds as aforeſaid.

Leaſes or Agreements not to be affected.

XLIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, and be conſtrued to extend, to charge any other Leſſor or Leſſors, with the Payment of the Rates or Taxes, or any of them, by this Act charged, contrary to any expreſs Stipulation made or contained in or by any Leaſe or Leaſes, Agreement or Agreements, in which it hath been agreed, that the Rates, Taxes, and Aſſeſſments for the Drainage of any of the ſaid Fen Lands compriſed in, or demiſed, by ſuch Leaſe or Leaſes, Agreement or Agreements, ſhall be paid by the Leſſee or Leſſees thereof, any Thing herein contained to the contrary notwithſtanding.

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

XLIV. And be it further enacted, That if any Perſon or Perſons ſhall refuſe or omit, or neglect to pay all or any Part of the Rates or Taxes, to which he, ſhe, or they is or are, by the recited Acts, or either of them, or this Act, made liable for the Space of One Calendar Month next after the Days and Times limited and appointed for the Payment thereof, reſpectively, or ſhall refuſe or omit to pay all or any Part of the Penalty or Penalties, which ſhall become due by reaſon of the Non-payment thereof, then and in every ſuch Caſe, it ſhall be lawful for the Treaſurer, Collector or Receiver of the ſaid Commiſſioners, or any other Perſon or Perſons empowered or appointed by them, by virtue of any Warrant or Precept, under the Hands and Seals of any Five or more of the ſaid Commiſſioners, which Warrant or Precept any Five or more of ſuch Commiſſioners are hereby authorized and required, from Time to Time, to grant and make, as Occaſion ſhall require; and whether aſſembled at a Meeting or not, to enter into and upon all or any Part of the Lands 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 the Sum and Sums of Money due and payable for ſuch Rates and Taxes, and Penalties, by Diſtreſs of any Goods, Chattels, and Effects, which ſhall or may be found thereon; and where no ſufficient Diſtreſs can be found upon ſuch Lands, whereon to levy the Tax or Taxes, and Penalty, which ſhall be then in Arrear in reſpect thereof, by virtue of this Act, or the ſaid recited Acts, or either of them, it ſhall be lawful for the Treaſurer, Collector, or Receiver of the ſaid Commiſſioners, or any other Perſon or Perſons authorized or empowered by them, by virtue of any Warrant or Precept, under the Hands and Seals of any Five or more of the ſaid Commiſſioners, which ſaid Warrant or Precept ſuch Commiſſioners, or any Five or more of them, are hereby empowered and required, from Time to Time to make, as Occaſion ſhall require, to levy all and every of the ſaid Rate or Rates, Tax or Taxes, Penalty or Penalties, which ſhall be then in Arrear, by Diſtreſs of any Goods or Chattels, of the Perſon or Perſons ſo occupying any Lands chargeable with any ſuch Tax or Taxes,

Rate or Rates, Penalty or Penalties whenſoever and whereſoever ſuch Goods and Chattels ſhall be found; and it ſhall be lawful for the Perſon or Perſons diſtraining any Goods, Chattels, and Effects, for any ſuch Rates, Taxes, and Penalties, to impound and keep the ſame on the Premiſes where any ſuch Diſtreſs ſhall be made, or to take, lead, drive, carry away, and impound the ſame elſewhere, for the Space of Five Days, including the Day on which ſuch Goods, Chattels, or Effects ſhall be taken, at the Coſts and Charges of the Perſon or Perſons liable to pay ſuch Rates, Taxes, and Penalties, delivering to the Owners of the ſame, or leaving at his, her, or their laſt or uſual Place of Abode or Reſidence, Notice in Writing of ſuch Diſtreſs being made, and of the Cauſe thereof, and of the Place or Places where ſuch Diſtreſs is intended to be, or ſhall be, led, driven, taken away, impounded and kept; and in caſe the Sum or Sums of Money, for which any ſuch Diſtreſs ſhall be made, and all Coſts, Charges and Expences attending ſuch Diſtreſs ſhall not be paid and diſcharged to the Treaſurer, Collector or Receiver of the ſaid Commiſſioners, or to the Perſon or Perſons making ſuch Diſtreſs, the Perſon or Perſons ſo making ſuch Diſtreſs ſhall or may, with the Conſtable of the Pariſh where ſuch Diſtreſs ſhall be made (which ſaid Conſtable is hereby directed, upon being thereunto required, to aſſiſt therein), cauſe the Goods, Chattels, and Effects ſo diſtrained, to be appraiſed by Two indifferent Perſons upon Oath (which Oath the ſaid Conſtable is hereby required and empowered to adminiſter), and ſuch Two Perſons are hereby required to appraiſe the ſame, according to the beſt of their Judgment; and after Appraiſement it ſhall be lawful for the Perſon or Perſons making ſuch Diſtreſs, to ſell, or cauſe to be ſold, the Goods, Chattels, and Effects ſo diſtrained, for the beſt Price that can be reaſonably had or gotten for the ſame, for and towards Satisfaction of the Monies for which ſuch Diſtreſs and Sale ſhall be ſo made, and the Coſts, Charges and Expences of taking, keeping, appraiſing and ſelling the ſame, rendering the Overplus or the Monies ariſing from ſuch Sale (if any) on Demand to the Perſon or Perſons entitled thereto.

Grounds unoccupied to remain as a Security for the Tax, and Diſtreſs may be taken any Time afterwards.

XLV. Provided always, and be it further enacted, That in caſe any of the ſaid Fen Lands and Low Grounds to be taxed by virtue of this Act, or the ſaid recited Acts, or either of them, ſhall at any Time or Times hereafter be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be found for levying the ſaid Rates, Taxes, and Penalty, 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, ſhall and may be diſtrained, removed, impounded, kept, appraiſed, and ſold in Manner aforeſaid, until all Arrears of the ſaid Rates and Taxes, and Penalty, and the Charges of ſuch Diſtreſs ſhall be fully paid and ſatisfied.

Lands may be let for Payment of Taxes.

XLVI. Provided always, and be it further enacted, That in caſe it ſhall happen that any Part of the ſaid Fen Lands and Grounds ſhall be untenanted or unoccupied for the Space of Twelve Calendar Months together, and no ſuch Diſtreſs as aforeſaid can be taken thereon for levying the ſaid Rates or Taxes, and Penalty or Penalties, due in reſpect of the ſame, the ſaid Commiſſioners, or any Five or more of them, ſhall, at any of their Meetings, have full Power and Authority to let ſo much of the ſaid Lands and Grounds, upon which any ſuch Rate or Tax, and Penalty,

ſhall be ſo in Arrear, as they ſhall judge ſufficient for ſuch Term or Terms of Years, not exceeding Three Years each Letting, at ſuch Rent and Rents, and upon ſuch Terms and Conditions, as to them ſhall ſeem meet, and to apply the Rent or Rents ariſing therefrom in Diſcharge and Payment of all ſuch Taxes and Rates, and the Penalties incurred for Non-payment thereof, and of ſuch other Charges and Expences, as they the ſaid Commiſſioners ſhall incur or be liable to, in conſequence of all or any of ſuch laſt-mentioned Proceedings.

A Schedule of the Lands to be let, to be affixed to the Church Doors, and inſerted in Newſpapers.

XLVII. Provided always, and be it further enacted, That the ſaid Commiſſioners ſhall cauſe a Schedule of the Lands ſo to be let, for Taxes and Rates in Arrear, and Penalties, 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 and being, or into which the ſame ſhall extend, Three ſeveral ſucceſſive *Sundays* before the Day appointed for the letting of ſuch Lands; and ſhall alſo cauſe a Schedule of the Lands, ſo to be let as laſt aforeſaid, and the Time and Place appointed for ſuch letting to be inſerted in *The Cambridge Chronicle*, or if that Paper ſhall not then be publiſhed, in ſome other Newſpaper, uſually circulated in the ſaid County of *Cambridge*, Three Weeks at leaſt before the Time appointed for any ſuch Letting.

Notice to be given to the Owners of Lands to be let.

XLVIII. And be it further enacted, That the ſaid Commiſſioners ſhall cauſe 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 Owner or Owners, Proprietor or Proprietors of the ſame, or to be left at his, her, or their laſt or uſual Place or Places of Abode.

For Recovery of Arrears of Taxes under former Acts.

XLIX. And be it further enacted, That if any Perſon or Perſons ſhall at any Time, after the paſſing of this Act be in Arrear for any Rate or Tax impoſed and made payable by virtue of the ſaid recited Acts, or either of them, in reſpect of any Lands or Grounds, comprized within the Limits of the ſaid recited Acts, or either of them, and ſhall neglect for the Space of One Calendar Month to pay ſuch Rate or Tax to the Receiver or Receivers, Collector or Collectors thereof, at ſuch Time and Place as the ſaid Commiſſioners appointed under and by virtue of this Act or any Five or more of them ſhall appoint, for Payment thereof, public Notice of ſuch Time and Place of Payment being firſt given in *The Cambridge Chronicle*, or in ſome other Newſpaper uſually circulated in the County of *Cambridge*, Three ſucceſſive Weeks immediately preceding the Time appointed for Payment thereof, every Perſon ſo in Arrear ſhall forfeit and pay the Sum of Three Shillings and Four-pence for every Twenty Shillings of ſuch Rate or Tax ſo in Arrear, and not paid as aforeſaid, and ſo in Proportion for every greater or leſs Sum than Twenty Shillings, to be recovered and to be applied in the ſame Manner as the Rates and Taxes by this Act impoſed, are hereby directed to be recovered and applied.

Application of the Taxes and Penalties.

L. And be it further enacted, That the Monies ariſing from the Rates or Taxes to be levied by virtue of this Act, and the Penalties incurred for Non-payment thereof, and alſo all Sums of Money which ſhall be raiſed by the ſaid Commiſſioners, or any Five or more of them, under and by virtue of and in purſuance of the Authority veſted in them by this Act, the Manner of applying whereof is not herein particularly directed, ſhall be paid

paid and applied by the ſaid Commiſſioners in the firſt Place in defraying the Charges and Expences of obtaining this Act, and in the Payment of all ſuch Monies as ſhall be advanced by any Perſon or Perſons whomſoever, for the Purpoſe of defraying ſuch Charges and Expences, with lawful Intereſt for the ſame, and then in Payment of the Intereſt on the Monies, hereafter authorized to be borrowed on the Credit of the ſaid Rates and Taxes, and the Reſidue or Surplus in making, erecting, maintaining, and keeping in repair ſuch Works as the ſaid Commiſſioners are by this Act authorized to make, erect, maintain and repair, and to be applied and diſpoſed of to no other Uſe, Intent, or Purpoſe whatſoever.

Perſons paying Taxes in advance to be allowed Intereſt on the Sums advanced.

LI. Provided alſo, and be it further enacted, That if any Perſon or Perſons ſhall be willing to pay all or any Part of the Taxes hereby authorized to be aſſeſſed in advance for One Year, or for Two or more Years, then the ſaid Commiſſioners are hereby authorized and empowered to receive the ſame, and to allow the Perſon or Perſons, ſo advancing and paying the ſame Diſcount or Intereſt, at the Rate of Five Pounds *per Centum per Annum*, from the Time or Times of ſuch Payment or Payments, to the Time or Times when the Tax or Taxes reſpectively ſo paid in advance would have become payable according to the Proviſions hereinbefore contained, and the Receipt and Receipts for the ſaid Sums ſo paid in advance, ſhall be a Diſcharge to ſuch Perſon or Perſons, for his or her Tax or Taxes, when the ſame ſhall be rated and become payable.

The Proprietors who have entered into a voluntary Subſcription, may deduct the ſame from the Taxes.

LII. And whereas ſeveral of the Proprietors of the Lands and Grounds rated, taxed, and charged by virtue of the ſaid recited Acts, have lately entered into, and paid a voluntary Subſcription, at and after the Rate of One Shilling an Acre, for and in reſpect of their taxable Lands, and the Monies ariſing therefrom have been applied in amending, repairing and improving the Works immediately neceſſary for the Drainage and Preſervation of the ſaid Lands, but others of the ſaid Proprietors have refuſed or neglected to enter into or contribute to ſuch Subſcription; be it therefore enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby required to permit and allow all and every the ſaid Proprietors of the ſaid taxable Lands, who entered into and paid the ſaid Subſcription, to deduct and retain the Sums of Money, ſo as aforeſaid by them reſpectively ſubſcribed and paid out of and from the Rates and Taxes charged upon or payable by them under or by virtue of this Act.

For collecting a Toll for Horſes hawling Boats on the River Ouze, and paſſing along the Bank ſet up by the Commiſſioners.

LIII. And be it further enacted, That all the Tolls now collected by the Commiſſioners, under the Authority of the ſaid recited Act of the Thirty-ſeventh Year of the Reign of His preſent Majeſty on the Banks of the ſaid Level, deſcribed in the ſaid recited Act, ſhall be and the ſame are hereby repealed; and that from and after paſſing of this Act the ſaid Commiſſioners, or any Perſon or Perſons by them duly authorized, ſhall and may, at any of the Turnpike Gate or Gates, Bar or Bars, erected under the Authority of the ſaid laſt recited Act, or to be erected by virtue of this Act, demand, have, receive, and take as a Toll before any Beaſt ſhall be permitted to paſs through ſuch Turnpike Gate or Gates, Bar or Bars reſpectively, the following Tolls or Duties; (that is to ſay),

For every Horſe or other Beaſt (except an Aſs or Aſſes), hawling or towing any Boat or Boats or other Veſſel on the Banks of the ſaid Level, between

between a certain Place called *The Brewhouſe*, in *Waterbeach Midload Fen* and *Harrymere Head*, or any Part thereof, the Sum of One Shilling and Four-pence; and between *Harrymere Head* and a certain other Place on the ſaid Level, called *Streatham Ferry*, or any Part thereof, the like Sum of One Shilling and Four-pence:

And for every Aſs hawling or towing a Boat or Boats, or other Veſſel upon the Banks of the ſaid Level, from, to, and between each of the reſpective Places aforeſaid, on the ſaid Banks, and ſo back again in like Manner, the Sum of Four-pence:

And for every other Horſe, Mare or Gelding, Mule or Aſs paſſing or going upon the Banks of the ſaid Level, from, to, or between the reſpective Places aforeſaid on the ſaid Banks, and ſo back again, not hawling or drawing any Boat or Boats or other Veſſel, the Sum of One Penny Halfpenny:

For every Drove of Oxen, or other Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and ſo in Proportion for every greater or leſs Number; but if under Five, then One Penny *per* Head:

And for every Drove of Calves, Swine, Sheep or Lambs, the Sum of Ten-pence *per* Score, and ſo in Proportion for any greater or leſs Number:

Provided always, that One Toll only in any One Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next ſucceeding Night, ſhall be payable for the ſame Horſes, Beaſts or other Cattle, between *The Brewhouſe*, in *Waterbeach Milload Fen* and *Harrymere Head*, or between *Harrymere Head* and *Streatham Ferry* aforeſaid, for paſſing or repaſſing through all the Gates (if more than One) erected, or which ſhall be erected, between the reſpective Places aforeſaid.

Which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of and as a Toll, and ſhall be paid to ſuch Perſon or Perſons as the ſaid Commmiſſioners, or any Five of them ſhall appoint to collect the ſame; and all the ſaid Tolls ſhall be and they are hereby veſted in the ſaid Commiſſioners and their Succeſſors, and ſhall be applied in the ſame Manner as the ſaid Rates and Taxes herein-before charged on the ſaid Fen Lands and Low Grounds by this Act are to be applied, and alſo for the better and more effectual ſupporting, maintaining, and keeping in Repair the ſaid Banks of the ſaid Level, and for the other Purpoſes in the ſaid recited Acts and this Act; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand be made thereof, neglect or refuſe to pay the ſame, it ſhall and may be lawful for ſuch Perſon or Perſons as ſhall from Time to Time be appointed to collect and receive ſuch Tolls, to ſeize and detain any Horſe or other Cattle, upon which ſuch Tolls are by this Act impoſed; and if ſuch Tolls, and the reaſonable Charges of ſuch Diſtreſs and Sale, and of detaining and keeping the ſame, ſhall not be paid within the Space of Five Days after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining, ſhall and may ſell the Cattle and Goods ſo ſeized and diſtrained, returning the Overplus (if any be) upon Demand to the Owner or Owners thereof, after ſuch Tolls and reaſonable Charges of ſuch Seizure and Diſtreſs, and of detaining and keeping the ſame, and alſo of ſuch Sale, ſhall be deducted.

LIV. Provided

Exemptions from Tolls.

LIV. Provided always, and be it further enacted, That no Toll shall be demanded or taken of any Person or Persons at any Turnpike or Gate to be erected by virtue of this Act, or erected by virtue of the said recited Act of the Thirty-seventh Year of the Reign of His present Majesty, for any Horse or other Beast hauling any Boat or Boats, or Vessel employed in the carrying Materials for the Repairs of the said Banks within the said Level, or in roding or drawing any Machine for deepening or cleansing the Rivers adjoining the said Level, or any Part thereof, nor for any Horse, Mare, or Gelding, which shall be ridden by any Proprietor or Proprietors, Occupier or Occupiers of any Part of the said Lands and Grounds within the said Level, his, her, or their Servants going or returning to or from any Part of the said Lands and Grounds, or by any Member of the Corporation of *Bedford Level*, their Officers and Servants upon the actual Business of the said Corporation, and such Officers as are or shall be appointed by the Commissioners of the said Level, to superintend the Works thereof, nor for any Beast or Beasts, Sheep or other Cattle going to or returning from Pasture within the said Level, being the Property of an Occupier of Lands within the said Level, 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.

Penalties on Persons permitting private Ways in fraud of Toll.

LV. And be it further enacted, That if any Person or Persons whatsoever, owning or occupying any Lands or Tenements, near to any of the said Turnpike Gate or Gates, Bar or Bars, to be erected by virtue of this Act, or already erected by virtue of the said recited Act of the Thirty-seventh Year of the Reign of His present Majesty, shall permit or suffer any Person or Persons to pass through any Land, Gate, Passage, or private Way, with any Sort of Cattle, for which any Toll or Duty is granted by this Act, whereby the Payment of any such Toll or Duty shall or may be avoided, or if any Waterman or other Person hawling or towing any Boat or Boats, or other Vessel with One or more Horse or Horses or other Beasts, shall take off, or cause to be taken off from the said Boat or Boats, or Vessel, any such Horse or other Beast, with Intent to avoid the Payment of the said Tolls, or any Part thereof, or after having passed any Turnpike to be erected by virtue of this Act, or erected by virtue of the said last recited Act, shall put on to, or use any more Horses or other Beasts for hauling and towing such Boat or Boats, or Vessel, than he shall have paid the Toll for, or shall force by, pass through or over such Turnpike, with any Horse or other 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 said Commissioners, or any Five or more of them, any Sum not exceeding Forty Shillings for every Offence, to be levied and applied in such Manner as herein-after mentioned.

Or taking off Horses to avoid Toll.

Penalty on Persons fraudulently giving away or altering Tickets.

LVI. And be it further enacted, That if any Person or Persons shall give or dispose of any Ticket or Tickets, to be given in and for Payment of any of the said Tolls (and which Tickets the Person or Persons receiving

ing such Tolls, is and are hereby required to give on Receipt thereof), in order to avoid Payment of any of the said Tolls or Duties granted by this Act; or if any Person shall alter any such Ticket, or any Figures or Letters thereon, with such Intent as aforesaid, every Person giving, and every Person receiving, or altering such Ticket as aforesaid, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, to be levied and applied as hereafter directed.

Property of Gates, &c. vested in the Commissioners.

LVII. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Turnpikes, Toll Houses, Posts, Rails, Implements, Utensils, and Things whatsoever, now erected and set up, or which shall be hereafter erected and set up, or bought and purchased by the said Commissioners, or any Five or more of them, or by their Order, or otherwise, belonging to or used by them, for the putting in Execution the said recited Acts and this Act, shall be vested in the said Commissioners, and they, or any Five or more of them, are hereby empowered to dispose of the same, and to bring any Action or Actions, or to prefer and prosecute with Effect any Bill or Bills of Indictment, in which it shall be deemed a sufficient Description of the Property to alledge the same, to be in any Five or more of the said Commissioners, against any Person or Persons who shall steal, secrete, injure, damage, pull down, throw down, take away, or dispose of the same, or any of them, to his, her, or their own Use or Uses, or shall disturb them the said Commissioners in Possession of the Property thereof.

To let the Tolls.

LVIII. And be it further enacted, That from and after the First *Tuesday* in *October*, 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, (each Year always to commence from the Tenth Day of *October*), 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: Provided nevertheless, that the said Tolls and Duties shall not be so let but at the Meeting to be held on the First *Tuesday* in the Month of *October*, and after Notice given that the said Commissioners will then let the said Tolls and Duties, by Advertisements in some Newspaper published or circulated in the said County of *Cambridge* and *Isle of Ely*, for One Month preceding such Meeting.

Not to let the Tolls but at a Public Meeting.

Commissioners may borrow Money on Taxes and Tolls.

LIX. And be it further enacted, That the said Commissioners, or any Five or more of them, assembled at the First or other Meeting to be holden in pursuance of this Act, shall and may, and they are hereby empowered, from Time to Time, to borrow such Sum or Sums of Money as they shall think fit, for the several Purposes of this Act; and by Writing, under their Hands and Seals, to assign over Part of the said Rates and Assessments hereby granted, not exceeding the Sum of Two Shillings *per*

Acre, of the ſaid Fen Lands and Low Grounds, to be made by virtue of this Act, upon the ſaid Fen Lands and Low Grounds, and alſo the ſeveral Tolls or Duties to ariſe or become payable, in purſuance of this Act, as herein mentioned, and every Part thereof reſpectively, as a Security for the Repayment of the ſaid Sum or Sums of Money, with Intereſt for the ſame, not exceeding the Rate of Five Pounds *per Centum per Annum*, to the Perſon or Perſons who ſhall advance or lend the ſame, his, her, or their Executors, Adminiſtrators or Aſſigns; and all and every ſuch Perſon or Perſons to whom ſuch Mortgage, Aſſignment, or Transfer thereof ſhall be made, ſhall be in Proportion to the Sum or Sums therein mentioned, Creditors on the ſaid Rates or Aſſeſſments, Tolls, Duties, and Sums of Money, in equal Degree one with another, and ſhall have no Preference in reſpect to the Priority of advancing any ſuch Sum or Sums of Money: Provided always, that nothing herein contained ſhall enable the ſaid Commiſſioners to mortgage, aſſign or transfer over, the ſaid Part of the Rates and Taxes herein-before granted, until all the Monies now due and owing, on the Credit of the ſaid recited Acts, or either of them, ſhall have been paid off and diſcharged.

Securities may be transferred.

LX. And be it further enacted, That any Perſon to whom any Aſſignment of the ſaid Rates and Aſſeſſments, and Tolls and Duties ſhall be made, ſhall have full Power, from Time to Time, by Indorſement on the original Grant or Security, or by any other Inſtrument in Writing, to aſſign and transfer the ſame to any Perſon or Perſons whatſoever, and ſuch Aſſignment ſhall be entered in a Book, to be kept by the ſaid Commiſſioners for that Purpoſe, which Entry the proper Officer belonging to the ſaid Commiſſioners is hereby required to make upon any Perſon producing ſuch Aſſignment or Transfer, and paying Two Shillings for the ſaid Entry, and after ſuch Entry made, ſuch Aſſignment ſhall entitle ſuch Aſſignee or Aſſignees, his, her or their Executors, Adminiſtrators, or Aſſigns, to the ſaid principal Sum, and all Intereſt due and becoming due thereon, and ſuch Aſſignee or Aſſignees, and every other Aſſignee or Aſſignees, ſhall and may in the like Manner, by Indorſement or otherwiſe, aſſign and make over ſuch Mortgages and Securities ſo aſſigned as aforeſaid, and ſo *toties quoties* as Occaſion ſhall require.

Power to deſtroy Moles.

LXI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to deſtroy, or cauſe to be deſtroyed, all ſuch Moles, and other Vermin, as ſhall be found in and about the Lands and Banks, compriſed within the Limits of this Act, and for that Purpoſe to employ ſuch Perſon or Perſons, at ſuch Wages or Salary, as they the ſaid Commiſſioners ſhall think proper; and it ſhall be lawful for ſuch Perſon or Perſons, to enter into and upon all ſuch Lands and Banks reſpectively, for the Purpoſes aforeſaid.

Thiſtles on the Banks to be mowed.

LXII. And be it further enacted, That the ſaid Commiſſioners ſhall and may cauſe all the Thiſtles and Weeds which ſhall ariſe or grow upon or on any Bank, Road or Driftway, ſupported or maintained under the Authority of this Act, to be mowed, cut down, and deſtroyed, as often as there be Occaſion, and to make ſuch Payments and Allowances to the Perſon or Perſons employed by them for that Purpoſe, out of the Monies ariſing by virtue of this Act, as they the ſaid Commiſſioners ſhall think proper.

LXIII. And

Restrictions as to planting Trees or Holts, erecting Buildings near Engines.

LXIII. And be it further enacted, That no Tree or Trees, Holt or Holts, or Stack or Stacks of Hay, Fodder, Seed or Turf, shall at any Time hereafter be planted or placed, nor any Buildings be erected or built, except by the Order or Permission of the said Commissioners, nearer to any Mill or Engine, made or to be made, erected or to be erected for the Purposes of this Act, the said recited Acts, or either of them, than Fifty Yards, and if any Tree or Trees, Holt or Holts, or Stack or Stacks of Hay, Fodder, Seed or Turf, shall hereafter be planted or placed, or any Buildings made, erected or built, and if any such Tree or Trees, Holt or Holts, Stack or Stacks, shall not be taken up and carried away, or such Buildings pulled down and removed, within the Space of Twenty-one Days after Notice for that Purpose shall be given by Order of any Five of the said Commissioners, to the Owner or Proprietor of the Land or Ground where such Tree or Trees, Holt or Holts, Stack or Stacks, or Buildings shall be, or left at his, her or their last or usual Place of Abode, or with or for the Tenant in Possession of the Premises, then and in every such Case it shall be lawful for any Five of the said Commissioners respectively to cause such Trees, Holts or Stacks, to be taken up and carried away, and such Building to be pulled down immediately after the Expiration of the Notice so given for that Purpose, and the Costs and Expences thereby incurred, shall be reimbursed to the said Commissioners respectively by the Person or Persons who committed the Offence, and may be recovered by the said Commissioners, in such and the same Manner as the Taxes hereby directed or authorized to be raised, are or may be recovered or recoverable.

Commissioners may remove any Holts or Trees that are now standing, making Compensation to the Owner thereof.

LXIV. And be it further enacted, That it shall be lawful for the said Commissioners to take down and remove any Tree or Trees, Holt or Holts, which at the Time of passing this Act shall be standing or growing within the said Distance of Fifty Yards from any Mill or Engine, made or to be made, erected and employed for the Purposes of this Act, upon any of the Lands liable to be taxed by virtue of this Act, they the said Commissioners making reasonable Compensation to the Owner or Owners of all such Trees and Holts, and in such Manner as is herein-before provided, with respect to Land taken or used by the said Commissioners for the Purposes of this Act.

No private Mill to be built.

LXV. And be it further enacted, That if any Person or Persons shall at any Time after the passing of this Act, unless by the Permission in Writing of at least Five of the said Commissioners, to be given at a Meeting to be held for that Purpose, of which Meeting, Notice signed by Five or more of the said Commissioners stating the Object of such Meeting, shall be given in Manner aforesaid, at least One Month previous to such Meeting, erect or set up any Embankment, Sluice, private Mill, or other Engine or Device whatsoever, for draining or discharging Water from any Lands intended to be drained by virtue of this Act, every such Person or Persons shall for every such Offence forfeit and pay the Sum of Fifty Pounds to the said Commissioners for putting this and the said recited Acts in Execution, to be employed towards carrying on the Works of draining and improving the said Lands and Grounds, if the said Commissioners shall sue for the same, within Three Months after such Embankment, Sluice, private Mill, or other Engine or Device, shall have been begun to be erected and set up, otherwise to the Person who will

will sue for the same, and such Penalty shall be recovered, together with all Costs of Suit by Action of Debt, Plaint, Bill, or Information, in any of His Majesty's Courts of Record at *Westminster*, in which no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance shall be allowed.

Private Mills to be removed.

LXVI. And be it further enacted, That if any Person or Persons shall, at any Time after the First Day of *November* which was in the Year of our Lord One thousand eight hundred and twelve, erect or set up any private Mill, or other Engine or Device whatsoever, for draining or discharging Water from any Land intended to be drained by virtue of this Act; and if any such private Mill, Engine or Sluice as aforesaid, shall not be pulled down, removed, taken up, and carried away within the Space of Twenty-one Days after Notice for that Purpose shall be given by Order of any Five of the said Commissioners to the Owner or Proprietor of the Land or Ground on which such private Mill, Engine or Device as aforesaid, shall be left at his, her or their last or usual Place of Abode, or with or for the Tenant in Possession of the Premises, then and in every such Case, it shall be lawful for any Five of the said Commissioners respectively, to cause all such private Mills, Engines or other Devices to be taken down, pulled down and removed immediately after the Notice so given for that Purpose, and the Costs and Expences thereby incurred shall be reimbursed to the said Commissioners respectively, by such Person or Persons, and may be recovered by the said Commissioners in such and the same Manner as the Taxes hereby directed or authorised to be raised are or may be recovered or recoverable.

To limit digging of Turf.

LXVII. And be it further enacted, That it shall not be lawful for any Person or Persons whomsoever to dig or cause to be dug, any Turf before the Expiration of Thirty Years, from the last or former digging of Turf upon or out of any of the said Fen Lands and Low Grounds, except for the Purposes of Fuel to be used or consumed upon the Premises or in the Dwelling Houses of the Owners and Occupiers thereof, or of dividing Lands into Pieces of not less than Five Acres, unless he, she, or they shall first give Security, to be approved of by any Seven or more of the said Commissioners, for the regular Payment of the Rates and Taxes charged on the Lands so intended to be dug for Twenty Years after such digging, or shall pay into the Hands of the Treasurer for the Time being of the said Commissioners such Sum of Money as the said Commissioners shall determine to be a fair Consideration for the Exoneration and Discharge of the Lands so intended to be dug for Turf, from all Rates and Taxes to be imposed thereon by virtue of this Act, the said recited Acts or either of them, and from and after such Consideration Money shall be paid to the Treasurer for the Time being, to the said Commissioners, such Lands shall be wholly freed, exonerated, and discharged of and from the Payment of any future Rates and Taxes to be imposed and charged thereon by virtue of this Act, the said recited Acts, or either of them, and of and from all Penalties for the Non-payment of the same for the Space of Twenty Years, and if any Person or Persons shall dig or cause to be dug any Turf in any of the said Fen Lands and Low Grounds, except for the Purposes aforesaid, without giving such Security as herein-before directed for Payment of the said Rates and Taxes, or without first paying such Consideration

Money for the Exoneration and Diſcharge of the ſaid Lands from ſuch Rates and Taxes, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Commiſſioners, or any Perſon or Perſons authoriſed by them, by Warrant under the Hands and Seals of any Seven or more of the ſaid Commiſſioners, whether aſſembled at any Meeting or not, which Warrant the ſaid Commiſſioners are hereby authoriſed and directed to grant from Time to Time to levy ſuch Sum as the ſaid Commiſſioners ſhall at any Meeting determine to be a fair Conſideration and Compenſation for ſuch Exoneration and Diſcharge from the ſaid Rates and Taxes for the ſaid Space of Twenty Years in reſpect of the Whole of the Lands or Grounds, of which any Part ſhall be ſo dug as aforeſaid, by Diſtreſs and Sale of the Cattle, Corn, Hay, Goods, Chattels, and other Effects of the Owner or Occupier of ſuch Lands or Grounds of the Perſon or Perſons ſo digging the ſame, wherever ſuch Cattle, Corn, Hay, Goods, Chattels, and other Effects ſhall be found in the Manner as is herein-before authoriſed and directed for the Recovery of the Taxes impoſed by virtue of this Act; and if any Perſon having given ſuch Notice and paid ſuch Compenſation as aforeſaid, ſhall cut any Turf, except in the Manner above-mentioned, every Perſon ſo offending ſhall for every ſuch Offence, forfeit and pay the Sum of Twenty Pounds, to be recovered in like Manner.

Penalty on ſetting Nets, &c. in the Tunnels.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall ſet or make uſe of any Net or Nets, or any other Engine or Device whatſoever, for the catching of Fiſh, or for any other Purpoſe whatſoever, in or againſt any of the Dykes, Ditches, Drains or Tunnels, made, ſupported or maintained under the Authority of this Act, or the ſaid recited Acts, or either of them, or do any other Act whatſoever whereby any ſuch Dykes, Ditches, Drains or Tunnels ſhall or may be impeded or obſtructed, every Perſon offending in either of the Caſes aforeſaid, and being thereof convicted before Two Juſtices of the Peace for the County of *Cambridge* (which ſaid Juſtices are hereby authoriſed and required to hear and determine the Matters on the Oath of One or more credible Witneſs or Witneſſes, or on the Confeſſion of the Party or Parties ſo offending), ſhall, for every ſuch Offence, forfeit and pay any Sum of Money not exceeding Ten Pounds, as the ſaid Juſtices ſhall reſpectively order and direct, One Moiety of which Penalty ſhall be paid to the Perſon who ſhall inform or ſue for the ſame; and the other Moiety thereof ſhall be paid to the ſaid Commiſſioners, and ſhall be applied by them for the Purpoſes of this Act, and ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender by Warrant under the Hands and Seals of the ſaid Juſtices, and in default of ſuch Payment or Diſtreſs, the Perſon ſo offending ſhall be committed by the ſaid Juſtices to the Houſe of Correction for the County or Place where the Offence was committed, there to be kept to hard Labour for ſuch Time as the ſaid Juſtices ſhall reſpectively order and direct, not exceeding Three Calendar Months, at the Diſcretion of the ſaid Juſtices.

Penalty on driving Carts on the Embankments.

LXIX. And be it further enacted, That if any Perſon ſhall drive any Wain, Cart, Waggon, or Carriage, along any Part of any Bank erected, ſupported or maintained under the Authority of this Act, or ſhall fodder or cauſe to be foddered any Cattle or Stock upon any Part of ſuch Bank,

every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Penalty for ſuffering Cattle, Swine, &c. to ſtray on or injure Banks.

LXX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently ſuffer his, her or their Cattle, Stock, or Swine, to ſtray upon, or to feed and root up the Soil, or otherwiſe damage any Bank or Banks, Road or Roads, Driftway or Driftways, made or uſed, or to be made or uſed under the Authority of this Act, or the ſaid recited Acts, or either of them; or if any Perſon or Perſons ſhall fodder, or cauſe or permit to be foddered or drove to water any of his, her or their Cattle or Stock upon any ſuch Bank or Banks, then and in every ſuch Caſe, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

Penalty for making watering Places in any of the Drains.

LXXI. And be it further enacted, That if any Perſon or Perſons ſhall 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 maintained, by virtue of this Act, or the ſaid recited Acts, or either of them, or ſhall continue to uſe any ſuch Watering Place already made, after Fourteen Days Notice in Writing to the contrary thereof given to him, her or them, by the Collector or Receiver, or any other Perſon or Perſons authoriſed by the ſaid Commiſſioners; 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 neglecting to rode and ſcour out Ditches.

LXXII. And be it further enacted, That if the Owner or Owners, Occupier or Occupiers of any of the Fen Lands or Low Grounds lying within the Limits of this Act, or the ſaid recited Acts, to which any Droveway, Dyke, Outring Dyke, Diviſion Dyke, or other Dyke or Dykes whatſoever, doth or ſhall belong, ſhall neglect or refuſe ſufficiently to rode, ſcour, cleanſe, open or repair the ſame, or to make ſuch Dyke of the Width of Eight Feet at the leaſt, and of a ſufficient Depth for the Conveyance of Water, after Twenty-eight Days Notice in Writing given to him, her or them, or left at his, her or their uſual or laſt Place of Abode from Time to Time for that Purpoſe, by the Collector, Receiver, or any other Perſon or Perſons employed by the ſaid Commiſſioners for that Purpoſe, ſpecifying the Depth ſuch Dyke ſhall be of, (and which Depth every ſuch Collector, Receiver, or other Officer and Perſon ſo employed for that Purpoſe as aforeſaid, is hereby authoriſed and required to ſpecify and ſet out in ſuch Notice at his, her or their Diſcretion), he, ſhe or they ſhall, for every ſuch Neglect or Refuſal, forfeit and pay to the ſaid 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 ſuch Collector, Receiver, or other Officer or Perſon to cauſe ſuch Dyke or Dykes at the Expenſe and Charge of ſuch Owner or Owners, Occupier or Occupiers, to be roded, ſcoured, cleanſed, opened, repaired, and deepened in a ſufficient Manner, and made of a proper Depth, and of the Width of Eight Feet at leaſt, at the Diſcretion of ſuch Collector, Receiver, or other Officer or Perſon, and alſo where any Way or Ways ſhall have been made over any Dyke or Dykes without a ſufficient Tunnel to cauſe ſuch Way or Ways to be taken up, and ſuch Dyke or Dykes to be made of a proper Width and Depth with a ſufficient Tunnel therein, at the Diſcretion of ſuch Collector or Receiver, or other Officer

cer or Perſon, at the Expenſe and Charges of ſuch Owner or Owners, Occupier or Occupiers, and by Warrant or Precept under the Hands and Seals of Three or more of the ſaid Commiſſioners, to levy ſuch Penalty and alſo ſuch Charges and Expenſes upon ſuch Owner or Owners, Occupier or Occupiers, 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 or Perſons after ſuch Dyke or Dykes, Tunnel or Tunnels, ſhall have been ſo roded, ſcoured, cleanſed, opened, repaired, widened, and deepened by the ſaid Collector, Receiver, or other Officer or Perſon as aforeſaid, ſhall again fill, ſtop up, or in any Manner obſtruct any ſuch Dyke or Dykes, Tunnel or Tunnels, 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 or Perſons 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 Fifty Pounds, to be applied for the Purpoſe of this Act, and levied by Diſtreſs and Sale of the Goods, Chattels, and Cattle of all and every ſuch Offender or Offenders, by Warrant under the Hands and Seals of the ſaid Juſtices, and in Default of ſuch Payment or Diſtreſs the Perſon or Perſons ſo offending ſhall be committed by ſuch Juſtices to the Houſe of Correction, there to be kept to hard Labour for ſuch Time as the ſaid Juſtices ſhall reſpectively order and direct, not exceeding Six Calendar Months, at the Diſcretion of the ſaid Juſtices.

Puniſhment for deſtroying Works.

LXXIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter maliciouſly cut, break down, burn, demoliſh, or deſtroy any Bank, Sluice, Tunnel, Bridge or other Work already made or erected, or which ſhall at any Time hereafter be making or erecting, or be made or erected, or ſupported or maintained for any of the Purpoſes of this or the ſaid recited Acts, or either of them, every Perſon ſo offending, and being thereof convicted, ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony, and the Court by or before whom any ſuch Perſon ſhall be tried, ſhall have Power and Authority to cauſe ſuch Perſon to be tranſported for the Term of Seven Years in like Manner as Felons are directed to be tranſported by the Laws and Statutes of this Realm, or in Mitigation of ſuch Puniſhment, ſuch Court may in its Diſcretion, award ſuch Sentence as the Law directs in Caſes of Petit Larceny.

Penalty for damaging Works, obſtructing the Officers of Commiſſioners under this Act.

LXXIV. And be it further enacted, That if any Perſon or Perſons ſhall at any Time hereafter wilfully damage or dam up, or obſtruct any ſuch Sluice, Bank, Tunnel, Bridge, or any Cut, Drain, Watercourſe, Doors, Dams, or other Work or Works, already made or erected, or which ſhall at any Time or Times hereafter be making or erecting, or be made or erected, ſupported or maintained for anſwering any of the Purpoſes aforeſaid; or if any Perſon ſhall hinder or obſtruct the ſaid Commiſſioners, or any of their Officers, or any of their Servants, Workmen, or Labourers, employed by them the ſaid Commiſſioners, or any of their Officers, in making or repairing any Work or Works hereby directed or authoriſed to be done; every Perſon offending in any or either of the Caſes aforeſaid, and being thereof convicted before any

Two

Two or more Juſtices of the Peace for the County of *Cambridge*, (which Juſtices are hereby required to hear and determine the Matter) on the Oaths of Two or more credible Witneſſes, ſhall forfeit any Sum not exceeding Ten Pounds to the ſaid Commiſſioners, to be applied by them for the Purpoſe of this Act; and in default of Payment thereof the Perſon or Perſons ſo offending ſhall be ſent to the Houſe of Correction in the ſaid County, there to be kept to hard Labour for ſuch Time as ſuch Juſtices ſhall order and direct, not exceeding Twelve Calendar Months.

Owners accountable for Damages done by Boatmen.

LXXV. And be it further enacted, That the Owner and Owners of every Boat, Barge, Lighter, or other Veſſel, navigating the Rivers *Ouze*, *Grant*, or *Cam*, ſhall be, and he, ſhe and they is, and are hereby made anſwerable for all Treſpaſs, Damage, Spoil or Miſchief that ſhall be done by ſuch Boat, Barge, Lighter or other Veſſel, or by any of the Boatmen, Bargemen, Watermen, or other Perſon or Perſons belonging or employed in or about the ſame reſpectively, by any Means whatſoever to any of the Banks or other Works erected, maintained, or repaired under the Authority of this Act, and the Owner or Owners of every ſuch Boat, Barge, Lighter, or other Veſſel, ſhall for every ſuch Treſpaſs, Damage, Spoil, or Miſchief, ſo committed as aforeſaid, upon Conviction of the Boatmen, Bargemen, Watermen, or other Perſon or Perſons committing the ſame, before any Juſtice of the County or Place where the Offence ſhall be committed, on the Oath of any credible Witneſs or Witneſſes, which Oath ſuch Juſtice is hereby authoriſed to adminiſter, or on the Confeſſion of the Party or Parties offending, pay to the ſaid Commiſſioners ſuch Damages, Satisfaction, and Compenſation as ſhall be aſcertained, fixed and determined by ſuch Juſtice, provided that ſuch Damages, Satisfaction, and Compenſation ſhall not exceed Fifty Pounds, and ſhall alſo forfeit and pay to the Informer or Informers, any Sum not exceeding Forty Shillings, to be ſettled and determined by ſuch Juſtice, but in caſe ſuch Damages ſhall exceed the Sum of Fifty Pounds, the ſaid Owner or Owners may be ſued by the ſaid Commiſſioners for ſuch Damages, Satisfaction and Compenſation in any of His Majeſty's Courts of Record at *Weſtminſter*, at the Diſcretion of the ſaid Commiſſioners.

Maſters to recover from Boatmen.

LXXVI. Provided always, and be it further enacted, That every Boatman, Bargeman, Waterman, and other Perſons ſo offending as laſt aforeſaid, ſhall be anſwerable for, and ſhall repay all ſuch Damages, Satisfaction, Compenſation and Penalty, as ſhall be ſo aſcertained, fixed, determined, and recovered as aforeſaid, with all the Coſts of levying and recovering thereof to his Maſter or Maſters, Owner or Owners; and in caſe of Non-payment thereof on Demand, and Oath made by ſuch Maſter or Maſters, Owner or Owners, of the Payment made by him, her or them, of ſuch Damages, Satisfaction, Compenſation, Penalty and Coſts, and that the ſame have been demanded of ſuch Servant, Boatman, Bargeman, or Waterman reſpectively, but that the ſame have not been repaid, (ſuch Oath to be made before any One of His Majeſty's Juſtices of the Peace for the ſaid County of *Cambridge*), the Amount ſhall be recovered in like Manner as any Penalty is hereby directed to be levied and recovered by Warrant under the Hand and Seal of ſuch Juſtice.

Recovery and Application of Penalties not particularly directed.

LXXVII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, (the Manner of levying whereof is not herein-before particularly directed), and all Coſts and Charges attending the Recovery thereof, ſhall be levied and recovered by Diſtreſs and Sale of Goods, Chattels and Effects, of the Offender or Offenders, whereſoever the ſame ſhall be found, by Warrant under the Hand and Seal, or Hands and Seals of One or more Juſtice or Juſtices of the Peace for the County or Place where the Offence was committed, which Warrant ſuch Juſtice or Juſtices is and are hereby authoriſed and required to grant as often as ſhall be neceſſary, upon the Confeſſion of the Party, or on the Information of any credible Witneſs upon Oath (which Oath ſuch Juſtice or Juſtices is and are hereby empowered and required to adminiſter); and the Overplus, if any, ſhall, after ſuch Penalties and Forfeitures, together with the Coſts and Charges attending the Recovery thereof are deducted, be returned upon Demand, to the Owner or Owners of ſuch Goods and Chattels; and in caſe no ſufficient Diſtreſs can be found, ſuch Juſtice or Juſtices ſhall iſſue a Warrant under his or their Hand and Seal, or Hands and Seals, for the Apprehenſion of ſuch Offender or Offenders, and ſhall commit ſuch Offender or Offenders, when brought before him or them, to the Common Gaol or Houſe of Correction for ſuch County or Place, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, at the Diſcretion of ſuch Juſtice or Juſtices; and all Penalties and Forfeitures by this Act impoſed, if not hereby otherwiſe directed to be paid and applied, ſhall be paid to the Treaſurer for the Time being of the ſaid Commiſſioners, and ſhall be applied for the ſame Purpoſes as the Rates and Taxes hereby authoriſed to be raiſed, are by this Act directed to be paid and applied.

Manner of Proceeding for Conviction of Offenders.

LXXVIII. And, for the more eaſy and ſpeedy Conviction of any Offender or Offenders againſt this Act, be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or the ſaid recited Acts, or either of them, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, *viz.*

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord is convicted before me, One [*or*, us *C. D.* and *E. F.* Two] of His Majeſty's Juſtices of the Peace for the County [*or* Iſle, Place or Liberty, as the Caſe may be], of [*ſpecifying the Offence, and the Time and Place when and where the ſame was committed, as the Caſe may be*]. Given under my Hand and Seal, [*or*, our Hands and Seals] the Day and Year firſt above written.'

Commiſſioners may act as Juſtices unleſs perſonally intereſted.

LXXIX. And be it further enacted, That in all Caſes wherein Cognizance is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons for his or their more certain Information in the Matters then depending; and that any Juſtice of the Peace may act as ſuch in the Execution of this Act (except where perſonally intereſted) notwithſtanding his being a Commiſſioner under the Authority of this Act.

LXXX. And

Perſons giving falſe Evidence guilty of Perjury.

LXXX. And be it further enacted, That all and every Perſon and Perſons, who, in the Examination to be taken by virtue of this Act, ſhall wilfully and corruptly give falſe Evidence before any Juſtice or Juſtices of the Peace, or ſhall wilfully and corruptly ſwear falſely before any Commiſſioner or Commiſſioners appointed or to be appointed by virtue of this Act, in any Matter in which ſuch Commiſſioner is hereby authoriſed to adminiſter an Oath, ſhall and may be proſecuted for the ſame, and upon Conviction thereof, ſhall be ſubject to ſuch Puniſhment and Diſqualification as any Perſon or Perſons is or may be ſubject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Appeal to the Quarter Seſſions.

LXXXI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf or themſelves aggrieved by any Order or Determination of any Juſtice or Juſtices of the Peace, for any Thing done in purſuance of this Act, with regard to the Tolls or any other Matter, he, ſhe, or they may appeal to the General Quarter Seſſions of the Peace which ſhall be holden for the County or Place where the Cauſe of Complaint ſhall ariſe, within Six Calendar Months next after the Cauſe of Complaint ſhall have ariſen, and the Juſtices in the ſaid General Quarter Seſſions reſpectively are hereby required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order and award ſuch Coſts therein as to them in their Diſcretion ſhall ſeem reaſonable, and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame wherever they ſhall be found, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale, which Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned, and ſhall not be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*.

One Month's Notice to be given of Intention to appeal.

LXXXII. Provided always, and be it further enacted, That in all Caſes where any Perſon or Perſons ſhall, under or by virtue of any of the Powers and Proviſions herein-before contained, intend to have any Matter of Diſpute, Complaint, or Appeal, determined by the Juſtices in their ſaid General Quarter Seſſions, every ſuch Perſon or Perſons ſhall give at leaſt One Calendar Month's Notice to the Party or Parties againſt whom ſuch Matter of Diſpute, Complaint, or Appeal, ſhall be intended to be preferred, of ſuch his or their Intention, ſpecifying the Matter of ſuch Diſpute, Complaint or Appeal, and where any ſuch Diſpute, Complaint or Appeal ſhall be intended to be preferred againſt the Commiſſioners, ſuch Notice ſhall be delivered to their Treaſurer or Clerk; and in Caſes where the ſaid Commiſſioners ſhall be Appellants, ſuch Notice ſhall be ſigned by their Treaſurer or Clerk; and it ſhall and may be lawful for the ſaid Juſtices in their ſaid Quarter Seſſions, in default of Proof of ſuch Notice, or for any other juſt and reaſonable Cauſe, to poſtpone the Hearing of ſuch Matter to any Adjournment of the ſaid Seſſions, or until the General Quarter Seſſions then next following, at the Diſcretion of the ſaid Juſtices.

LXXXIII. And

Proceedings not to be vacated for want of Form, &c.

LXXXIII. And be it further enacted, That no Order or other Proceeding to be had by or before any Juſtice or Juſtices of the Peace, or to be otherwiſe made or had in purſuance of this Act, ſhall be quaſhed or vacated for want of Form only, or be removed by *Certiorari* into any of His Majeſty's Courts of Record at *Weſtminſter*.

Diſtreſs not unlawful for want of Form.

LXXXIV. And be it further enacted, That where any Diſtreſs ſhall be made for any Rate, Tax, Penalty or Forfeiture, or Sum or Sums of Money whatſoever to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or want of Form only, in the Rate or Aſſeſſment to be made, or in the Information, Summons, or Conviction, Warrant of Diſtreſs or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by any ſuch Irregularity, ſhall and may recover Satisfaction for the Special Damage in an Action upon the Caſe.

Plaintiff not to recover after Tender of Amends.

LXXXV. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants, Avowant or Avowants, or left at his, her, or their laſt uſual Place or Places of Abode, Twenty-one Days before ſuch Action ſhall be commenced, of ſuch intended Action, ſigned by the Attorney for the Plaintiff or Plaintiffs, nor ſhall the Plaintiff or Plaintiffs recover in ſuch Action, if Tender of ſufficient Amends ſhall have been made to him, her or them, or to his, her or their Attorney, by or on Behalf of the Defendant or Defendants, Avowant or Avowants, before ſuch Action brought, and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful to and for the Defendant or Defendants, Avowant or Avowants, in any Action by Leave of the Court where ſuch Action ſhall be brought any Time before the Iſſue joined, to pay into Court ſuch Sum of Money as ſuch Defendant or Defendants, Avowant or Avowants, may be adviſed.

Limitations of Actions.

LXXXVI. And be it further enacted, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within Six Calendar Months next after the Fact committed, and ſhall be laid or brought in the County of *Cambridge*, or in the Court of Pleas for the *Iſle of Ely*, as the Caſe may be, and not elſewhere; and the Defendant

General Iſſue.

or Defendants in ſuch Action or Suit, ſhall and may plead the General Iſſue, and in Replevin may juſtify and avow, by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and may give this Act and the Special Matter in Evidence, without ſpecially pleading the ſame otherwiſe than as aforeſaid, at any Trial to be had thereupon, and that the Fact alledged in ſuch Action or Suit to have been done, was done in purſuance and by the Authority of this

Act, and if the ſame ſhall appear to have been ſo done, or if any Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or forbear Proſecution, or diſcontinue his, her or their Suit or Suits, or if any Verdict ſhall paſs againſt him, her or them, upon Demurrer, or otherwiſe, then and in any of the ſaid Caſes the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe or they, ſhall have the like Remedy as where Coſts by Law are awarded.

Preſerving Rights of the Corporation of Bedford Level.

LXXXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to invalidate, leſſen, diminiſh, alter, or take away, any of the Rights, Powers, or Authorities, veſted in the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, or in the ſaid Governor, Bailiffs, and Conſervators of the ſaid Company, by virtue of an Act made in the Fifteenth Year of the Reign of King *Charles* the Second, intituled *An Act for ſettling the Draining of the Great Level of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatſoever, which, by virtue of the ſaid Act of the Fifteenth Year of King *Charles* the Second, or of any other Act or Statute whatſoever, now are veſted in the ſaid Governor, Bailiffs, and Commonalty, or in the ſaid Governor, Bailiffs, and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be, in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, and every of them, as fully and amply to all Intents and Purpoſes, as if this Act had never been made.

Rights of the Lords of Manors reſerved.

LXXXVIII. Provided always, and be it further enacted, That all ſuch Right or Rights, as any Lord or Lords, Lady or Ladies, of any Manor or Manors, or Liberties, have heretofore had within his, her or their reſpective Manor or Manors, or Liberties, within or without the ſaid Boundaries, and all Waifs, Eſtrays, Felons Goods, Privileges of Arreſts, Eſcheats, and all Royalties not prejudicial to draining, be hereby ſaved to them, their Heirs, Succeſſors, and Aſſigns, ſeverally and reſpectively, any Thing herein contained to the contrary thereof notwithſtanding.

Commiſſioners Accounts to be audited once in every Year.

LXXXIX. And be it further enacted, That Once at leaſt in each and every Year during the Execution of this Act (ſuch Year to be computed from the Day of the paſſing of this Act) the ſaid Commiſſioners ſhall and they are hereby required to make a true and juſt Statement or Account of all Sums of Money by them received and expended or due in the Execution of this Act; and ſuch Statement or Account, when ſo made, together with the Vouchers relating thereto, ſhall be by them laid before any Two Juſtices of the Peace for the County of *Cambridge*, to be by them examined and balanced; and ſuch Balance ſhall be by them ſtated in the Book of Accounts to be kept in the Office of the Clerk or Clerks to the ſaid Commiſſioners; and no Charge or Item

in such Accounts shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by such Justices as aforesaid.

Public Act. XC. And be it further enacted and declared, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

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