

and authorities to levy, raise and recover the district acre-rate or tax authorized to be raised and levied by the said recited Act; and also to sue and be sued in the name of their respective Clerks, and to pay the costs and expences of actions and prosecutions brought or defended by them respectively, and to remove obstructions and annoyances within such respective districts, as are hereinbefore given to the Trustees for the time being of the said Act and this Act.

62 AND whereas by the said recited Act the Commissioners thereby appointed were authorized to provide for the repair support and maintenance of the banks of the river Glen, and the officer and officers or other person or persons for the time being having the direction of the repairs of such banks, were thereby empowered and required to make rates upon the several persons and parties therein referred to, for the repair and preservation thereof: AND whereas the powers and remedies provided by the said recited Act are ineffectual for the recovery of such rates, and it is necessary to extend and give further powers for the recovery thereof, and for the management of the trust thereby created; BE it therefore further Enacted, That the officer or officers, or other person or persons for the time being having the direction of the repairs of the bank or banks of the river Glen, under or by virtue of the said recited Act, shall have such and the like powers and authorities to levy raise and recover the rate and rates by the same Act authorized to be made, for the repair and preservation of the said respective banks; and also, to sue and be sued in the name of their Clerk, and to pay the costs and expences of actions and prosecutions brought or defended by them respectively, as is hereinbefore given to the Trustees of general works for the time being of the said recited Act and this Act.

63 And be it further Enacted, That the said Trustees for districts for the time being, shall and they are hereby authorized and required to pay to the officer or officers, or other person or persons having the direction of the repairs of the banks of the river Glen, such several sum and sums of money as such several districts shall be from time to time rated with, under the authority of the said recited Act, for and towards the repair and preservation of the respective banks of the river Glen, and for that purpose to increase, when necessary, such rate tax or assessment on the Lands comprized within such districts, to the extent of the payment required to be made in respect of such Lands, for the repair and preservation of the banks of the said river, as aforesaid.

69.

And

of District
Acre Rates,
and to
remove Ob-
structions.

Officers of
the river
Glen may
sue and be
sued in the
Name of
their Clerk.

Glen Rate
to be paid
out of Dis-
trict Rate.

Bank of the
River Wel-
land in James
Deeping
vested in
Trustees,

and Compens-
ation to be
made to the
Frontagers.

Provision for
supplying
ancient
Tunnels in
Thetford and
Thurlby, with
fresh Water
from the
Glen.

184
64
AND whereas the general Commissioners appointed by the said recited Act of the forty-first year of the reign of his said late Majesty, were thereby authorized and required to make, or cause to be made, so much of the bank of the river Welland as adjoined to the parish of James Deeping, of such sufficient height and strength as they should think necessary to prevent the water from breaking or overflowing the said bank, and for that purpose to take earth out of the bed of the said river Welland, and that the costs charges and expences of executing the said work, should be paid and borne in the way and manner therein directed, and the said Commissioners did in part execute the said work, and in so doing possessed themselves of certain frontage lands called Hives, in the said parish of Deeping Saint James, which were valued and estimated at the sum of Six hundred pounds, or thereabouts, and for which the owners of such lands have received no compensation, and it is necessary that the said works should be completed and satisfaction made to the said owners, and that such Bank should be vested as hereinafter is mentioned; BE it therefore Enacted, That from and immediately after the passing of this Act, the said bank shall be vested in the said Trustees for the time being, and they are hereby authorized and required to make and complete the same, of such sufficient height and strength as they shall think necessary to prevent the waters of the said river from breaking or overflowing the said bank, and the said Trustees are hereby authorized to fence the same from the said frontage lands if the same shall be deemed expedient, and that the costs and charges of executing the said work, and of maintaining and keeping the same of such sufficient height and strength, shall be borne and paid by the several persons and parties, bodies politic and corporate, now respectively liable to the repairs of such bank, in conjunction with the owners of the said lands and grounds charged with the said limited tax, in such shares and proportions as to the said Trustees for the time being shall seem just and equitable, and as they shall by any writing under their hands order or appoint; and the said Trustees shall and they are hereby authorized and required to make satisfaction to the amount aforesaid for the said frontage land so taken by the said Commissioners as aforesaid, by and out of the monies so to be raised as last aforesaid.

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AND whereas by the said recited Act of the forty-first year of the reign of his late Majesty, the General Commissioners thereby appointed were required to enlarge deepen and scour out the river Glen from Kates Bridge to the Reservoir, and the said Commissioners did enlarge deepen and scour out the said river, pursuant to the

the directions in the same Act contained, and by so doing rendered useless and ineffectual two certain ancient tunnels, used for the supply of fresh water to certain lands in the parish of Thurlby, contiguous to the Car Dike, containing about Six hundred acres, and to certain lands called Thetford, in the parish of Baston, the property of *George Richards Denshire* esquire: AND whereas there are divers other ancient tunnels now used for supplying the parishes of Thurlby, Pinchbeck and Spalding, and lands in Bourn North Fen, and Bourn South Fen, and Deeping Fen, with fresh water from the said river Glen; BE it therefore Enacted, That the person so to be appointed Civil Engineer, as hereinbefore mentioned, shall, and he is hereby authorized empowered and required, at the costs and charges of the owners of the said lands in the said parish of Thurlby, and of the said *George Richards Denshire*, respectively to make and execute such works as shall or may, in the judgment of such engineer, be deemed necessary and effectual for affording to the said lands in Thurlby and Thetford respectively, such supply of fresh water from the said river, as the said lands respectively were accustomed to have and receive previously to the deepening of the said river: Provided always, That the tunnel aperture or other work to be made or laid out of the said river, or through the banks thereof, or in the bed or side of the same, for supplying the said lands in Thurlby, shall not exceed Ten inches square waterway, and for supplying the said lands called Thetford, shall not exceed eight inches square waterway: Provided also, That the said Civil Engineer, at the like costs and charges of the respective parties aforesaid, shall, and he is hereby authorized and required to adopt such ways and means as will prevent the water which shall be supplied to the said lands in Thurlby and Thetford aforesaid, from being diverted or carried through such last mentioned lands or any part thereof, into any other lands, or to pass down any dike or drain to run to waste: Provided also, That no dam, staunch, weir, or other impediment in the watercourse of the said river, from the Fletland Mill to the outfall of the said river, shall be used employed or adopted for such purposes aforesaid: Provided also, That in case it shall be found necessary to make any work above the said bridge called Kates Bridge, or the King's Street Dike, for supplying the said lands in Thurlby and Thetford, or either of them, with fresh water as aforesaid, that the same shall be made below the surface of the adjoining lands, and under the bed of the several dikes and drains which it would or might otherwise necessarily intersect, so that thereby no stoppage impediment or other obstacle to the passage of the flood and drainage waters

No Impediment to the passage of the Glen Waters, and the Waters passing by the King's Street Dike.

waters of the lands lying on the west side of the King's Street Dike and of the said bridge, be occasioned.

General saving for Owners and Occupiers, to take Water out of the Glen as heretofore.

Provided also, and be it further Enacted, by the authority aforesaid, That this Act or any thing herein contained shall not prejudice or hinder the proprietors or occupiers of any lands or grounds near or adjoining to the said river Glen, in Thurlby, Thetford, Bourn South Fen, Bourn North Fen, Deeping Fen, Pinchbeck and Spalding aforesaid, from taking or running water out of the said river Glen into such lands or grounds in such manner and by such ways and means as the said proprietors and occupiers, or either or any of them have been used and accustomed to do, and as they severally might have done in case this Act or the said recited Act had not been passed.

General Saving.

Saving always to The KING's Most Excellent MAJESTY, His Heirs and Successors, and all and every other person and persons, bodies politic collegiate and corporate, his her and their heirs, successors, administrators and assigns, All such estate and interest as they every or any of them had and enjoyed, of, into, or out of, or in respect of the lands and premises hereby intended to be drained and improved before the passing of this Act, or could or might have had or enjoyed in case this Act had not been made.

Saving Clause to Commissioners of Sewers, Adventurers of Deeping Fen and other Districts.

Provided always, and be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, invalidate, lessen, alter or take away any of the rights, privileges, powers or authorities of the adventurers and proprietors of taxable and free lands in Deeping old inclosed Fen, or of the Commissioners of Sewers for the county of Lincoln, or of the said Trustees for districts for the time being.

Public Act.

And be it further Enacted, 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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For explaining, amending and rendering more effectual, an Act of his late Majesty, for draining certain Commons and Fens lying between the Rivers *Glen* and *Welland*, in the County of *Lincoln*, and for increasing the Rates thereby authorized, and imposing additional Rates for more effectually draining the said Lands.

[ROYAL ASSENT, 30 May 1823.]

4 GEO. IV.
Sess. 1823.

W^m Forbes, Sleaford,
and
John Richard Carter, Spalding,
Solicitors.

G. BRAMWELL, 3, *Paper Buildings*, Temple,
Agent for the Bill.

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