

THIS INSTRUMENT made  
Dated

day of April, in the year of our  
April, 1874.

HONORABLE GEORGE AUGUSTUS FREDERICK ALBERTWALE EARL OF LINDSAY, of  
Uffington House, in the County of Lincoln, THE RIGHT HONORABLE CHARLES  
ROBERT BARN CARLTON, of Whitehall, in the County of Middlesex, SIR  
PHILIP DUNO The Owners of Counter Drain Washlands. Will Memor, in the

County of Buckingham, Baronet, ROBERT EVERARD, of Spalding, in the  
County of Lincoln, Esquire, THE REVEREND JAMES BASWICK, of Stamford,  
with

In the County of Lincoln, Esquire, and THOMAS VERONITE,  
Market Deeping, in the County of Lincoln, Esquire, and THOMAS VERONITE,  
of Borough Fen, in the County of Northampton, Farmer (the said William

Holland and Thomas Veronite being the Trustees of the Will and Devises  
in Trust of Robert Parr, late of Market Deeping, aforesaid, Gentlemen,  
deceased), GEORGE SHILLAKER, of Market Deeping, aforesaid, Grazier,  
FRANCIS BROWN, of the City of Peterborough, Gentlemen and RICHARD

WARR, of Deeping Saint Nicholas, in the County of Lincoln, Farmer,  
hereinafter called. COVENANTS

First part, and the said RIGHT HONORABLE CHARLES ROBERT BARN CARL-  
TON, THE RIGHT HONORABLE On admission of the Wash, of Casewick, in the

County of Lincoln, Lands to the benefit of  
the General Works of  
Drainage. Esquire, WILLIAM HUNT, of Deeping Saint

Nicholas, aforesaid, Grazier, EDWARD PAULLEY, of Deeping Saint James,  
in the County of Lincoln, Grazier, EDWARD RUSSELL, of Boston, in the  
County of Lincoln, Grazier, the said GEORGE SHILLAKER, JESSE GEORGE  
CAMFAIR, of Spalding, aforesaid, Grazier, and GEORGE HILL, of Deeping  
Saint Nicholas, aforesaid, Grazier, the present Trustees of the Deeping  
Fen, General Works of Drainage, and acting under the powers of "The  
Deeping Fen Drainage Act, 1856," and hereinafter called "The Trustees"  
of the other part. WHEREAS by the Deeping Fen Drainage Act, 1856

by or under which the several Drainage Trusts, mentioned or referred  
to BONNER & CALTHROP of Parliament, therein recited or mentioned,

Spalding. It was amongst other things enacted (section 30),

that it should be lawful for the said General Works Trustees, and the  
Owners of the Trusts for the Drainage of any other lands not em-  
braced within the Acts of 1861 and 1863 mutually, to agree for the  
purpose of such works of the works within the Drainage provision of



THIS INDENTURE made                      day of April, in the year of our Lord, one thousand eight hundred and seventy four, between THE RIGHT HONORABLE GEORGE AUGUSTUS FREDERICK ALBERMARLE EARL OF LINSEY, of Uffington House, in the County of Lincoln, THE RIGHT HONORABLE CHARLES ROBERT BARON CARINGTON, of Whitehall, in the County of Middlesex, SIR PHILIP DUNCOMBE PAUNCEFORT DUNCOMBE, of Great Brickhill Manor, in the County of Buckingham, Baronet, ROBERT EVERARD, of Spalding, in the County of Lincoln, Esquire, THE REVEREND JAMES EASTWICK, of Stamford, in the County of Lincoln, Clerk in Holy Orders, WILLIAM HOLLAND, of Market Deeping, in the County of Lincoln, Esquire, and THOMAS VERGETTE, of Borough Fen, in the County of Northampton, Farmer (the said William Holland and Thomas Vergette being the Trustees of the Will and Devises in Trust of Robert Parr, late of Market Deeping, aforesaid, Gentleman, deceased), GEORGE SHILLAKER, of Market Deeping, aforesaid, Grazier, FRANCIS BROWN, of the City of Peterborough, Gentleman and RICHARD WARD, of Deeping Saint Nicholas, in the County of Lincoln, Farmer, hereinafter called.    "The Owners of Counter Drain Wash Lands" of the first part, and the said RIGHT HONORABLE CHARLES ROBERT BARON CARINGTON, THE RIGHT HONORABLE JOHN BARON KESTIVEN, of Casewick, in the County of Lincoln, THE HONORABLE MONTAGUE PEREGRINE BERTIE, of Uffington House, aforesaid, the said ROBERT EVERARD, HENRY HAWKES, of Brighton, in the County of Sussex, Esquire, WILLIAM HUNT, of Deeping Saint Nicholas, aforesaid, Grazier, EDMUND PAULETT, of Deeping Saint James, in the County of Lincoln, Grazier, EDWARD RUBBINS, of Baston, in the County of Lincoln, Grazier, the said GEORGE SHILLAKER, JOSEPH GEORGE CAMPAIN, of Spalding, aforesaid, Grazier, and GEORGE HILL, of Deeping Saint Nicholas, aforesaid, Grazier, the present Trustees of the Deeping Fen, General Works of Drainage, and acting under the powers of "The Deeping Fen Drainage Act, 1856," and hereinafter called "The Trustees" of the other part.    WHEREAS by the Deeping Fen Drainage Act, 1856 by or under which the several Drainage Trusts, mentioned or referred to in the several Acts of Parliament, therein recited or mentioned, were consolidated, it was amongst other things enacted (section 20), that it should be lawful for the said General Works Trustees, and the Owners or the Trustees for the Drainage of any other Lands not comprised within the Acts of 1801 and 1823 mutually, to agree for the Drainage of such Lands by the Works within the Drainage provided by



the said Acts, and that (the now reciting) Act upon the payment of such sum and sums of money, either in gross or annually, or both, and subject to such stipulations, conditions, and regulations, as should be specified and mentioned in the agreement, which should be entered into in that behalf, and which agreement should be binding and conclusive on all parties to the same. AND WHEREAS the said Owners of Counter Drain Wash Lands being desirous that their Lands in the Counter Drain Washes should be admitted to the benefit of the General Works of Drainage, under the direction of the said Trustees, and having presented a petition, or memorial, to the said Trustees, signed by or on behalf of the said Owners of Counter Drain Wash Lands. A meeting of the said Trustees was held on Monday, twenty-third day of March last, specially to consider the desired admission of the said Wash Lands, commencing with that belonging to the said Sir Philip Duncombe Pauncefort Duncombe, adjoining, or nearly adjoining, the Spalding and Bourn Railway on the East, and terminating with that belonging to the said Earl of Lindsey on the West, and containing in the whole four hundred and twenty two acres, or thereabouts, into the general system of Drainage by the Steam Engines, instead of the adoption by the Proprietors of a separate system of Improved Drainage, under the powers of the Land Drainage Improvement Act. And at such meeting it was resolved that such Wash Lands be admitted under the powers of the said Deeping Fen Drainage Act, 1856, Clause 20, into the general system of Drainage in such Clause referred to, upon payment of a sum of twenty-five shillings per acre in gross, and of such Annual Tax per acre in addition as is yearly imposed or paid in respect of the Free Lands in Deeping Fen, and shall be subject to the several Clauses and Provisions of the several Deeping Fen Drainage Acts, and also subject to the same or the like stipulations and conditions with respect to the internal Drainage thereof, as the Lands in the several Districts are liable to, and shall be specially subject to the following provisions and conditions. First-That the works necessary to connect the Drainage of the Wash Lands with the general Drainage Works shall be made and for ever maintained exclusively by the Proprietors of the Wash Lands. Second-That such Works shall be executed under the direction and to the satisfaction of the Deeping Fen Trustees and their Superintendent. Third-That the Culvert reg-



nired to be made under the Counter Drain shall be built at or about the division between the Estates of the Reverend James Eastwick and Lord Carington, or some other convenient place, and that the North or Wash End of such Culvert shall be provided with a staunch, or door, or lid, which when put down will suffice effectually to exclude the passage of water into the Culvert, and that a staunch or overfall shall be erected and maintained in the Drain communicating with the Culvert to regulate or stop the outlet of water into the Soak Dike or Drain on the South side of the Counter Drain Road so as to prevent injury or prejudice to the Lowlands in Deeping Fen, the control of such overfall to be under the exclusive care and direction of the Trustees and their Superintendent for the time being. Fourth-That the Deeping Fen Drainage Trustees, or any person authorised by them and acting in their behalf, shall have full authority and power in case of any breach or apprehended breach of the South Bank of the River Glen, or of the North or inner Bank of the Counter Drain in time of excessive rain, or in time of flood, to put down the said staunch, door, or lid, and to wholly stop the issue and passage of water into, and by means of the Culvert, during such time as the flood, or inundation of water, or apprehended danger shall continue, and such staunch, door, or lid shall not be again opened without an order of the Deeping Fen Drainage Trustees, or their Committee given in Meeting. And fifth-That an agreement embodying the foregoing conditions shall be prepared and signed by the several proprietors of Wash Lands, and thereafter by the Chairman of the Deeping Fen Drainage Trustees at a Meeting to be called for the purpose, and that upon such agreement being completed, and the payment in gross being made, the necessary Works may be commenced.

NOW THEREFORE THIS INDENTURE WITNESSETH that the said Owners of Counter Drain Wash Lands whose Hands and Seals are severally hereunder subscribed and affixed, do hereby for themselves severally and respectively, and for their several and respective heirs and assigns, covenant and agree with the said Trustees and their successors for the time being acting in execution of the Deeping Fen Drainage Acts in manner following, that is to say, that they the said Owners of Counter Drain Wash Lands severally and respectively, and their several and respective heirs and assigns owners for the time being, shall and will forth-with pay to the said Trustees and



their successors the said gross sum of twenty-five shillings an acre in respect of every acre, and so in proportion for less than an acre of the said Wash Lands owned by them respectively, and will also duly pay such annual tax per acre as is yearly imposed or paid in respect of the Free Lands, in Deeping Fen, in addition to any special annual taxes now charged on the said Wash Lands (or any of them), and that their respective Counter Drain Wash Lands shall for ever hereafter be subject to the several Clauses and provisions of the several Deeping Fen Drainage Acts, and also subject to the same or like stipulations and conditions with respect to the internal Drainage thereof, as the Lands in the several districts within the said Drainage are liable to, and also shall be specially subject to, and that they the said Owners of Counter Drain Wash Lands severally and respectively, and their several and respective heirs and assigns, owners for the time being, shall and will consent and confirm to, and abide by all and every of the conditions and stipulations imposed and agreed to at the said Meeting, and hereinbefore mentioned and set out. IN WITNESS whereof the said parties to these presents have hereunto set their Hands and Seals the day and year first above written.

Signed, sealed, and delivered by the said George )  
Augustus Frederick Albemarle, Earl of Lindsey, )  
in the presence of Casamayon William Gausсен, )  
Stamford. )  
LINDSEY.

Signed, sealed, and delivered by the said Charles )  
Robert Baron Carington, in the presence of J. )  
Carter Jonas, Land Agent, Cambridge. )  
CARINGTON.

Signed, sealed, and delivered by the said Sir )  
Philip Duncombe Pauncefort Duncombe, in the pres- )  
ence of Cecil Arundell, 49 Lincoln's Inn Fields, )  
Solicitor. )  
P.D. PAUNCEFORT  
DUNCOMBE.

Signed, sealed, and delivered by the said Robert )  
Everard, in the presence of Robt. Appleby. )  
ROBT. EVERARD.

Signed, sealed, and delivered by the said James )  
Eastwick, in the presence of George Shillaker. )  
JAMES EASTWICK.

Signed, sealed, and delivered by the said William )  
Holland in the presence of George Shillaker. )  
W. HOLLAND.

Signed, sealed, and delivered by the said Thomas )  
Vergette, in the presence of Joe G. Calthrop, )  
Solicitor, Spalding. )  
THOS. VERGETTE.

Signed, sealed, and delivered by the said George )  
Shillaker, in the presence of William Shillaker. )  
GEORGE SHILLAKER.

Signed, sealed, and delivered by the said Francis )  
Brown, in the presence of Frederic Atter. )  
FRANCIS BROWN.



Signed, sealed, and delivered by the said Richard Ward, in the presence of George Shillaker. ) RICHARD WARD.

Signed, sealed, and delivered by the said Robert Everard, the Chairman of a Meeting of the Deeping Fen Drainage Trustees, held this Twentieth day of August, 1874, in the presence of Joe G. Calthrop, Solr., Spalding. ) ROBT. EVERARD.

The Owners of Countess Drain Washlands.

with

The Trustees of the Deeping Fen Drainage

Act.

GOVERNORS

On admission of the said

Wards to the Deeping Fen

the Drainage Trustees of

Drainage, at

JOHN G. CALTHROP

Spalding.