

or shall refuse to produce his or their Invoice or Bill of Lading to the Officer demanding the same, or shall wilfully or knowingly give a false Account, or deliver any Part of such Lading or Goods to any other Place or Places than the Place or Places mentioned in that Account, or shall wilfully do any other Act whereby the Payment of the said Rates, Tolls, or Duties, or any Part thereof, shall be avoided; or if the Person or Persons sending or consigning such Goods or Things, or his or their Clerk or Agent, shall sign a false Account thereof, every Person so offending shall forfeit and pay the Sum of Five Pounds for every Ton of Goods or other Things, and so in proportion for any less Quantity than a Ton, which shall be in or be conveyed by such Boat, Barge, or other Vessel respectively, over and above the ordinary Rates, Tolls, or Duties which shall be payable for the same by virtue of this Act.

*Lading may be weighed.*

XLIX. And be it further enacted, That if any Difference shall arise between any Collector or Collectors of the said Rates, Tolls, and Duties, and the Master or other Person having the Care or Charge of any Boat, Barge, or other Vessel, or the Owner of any Goods, Wares, Merchandizes, or other Things loaded or embarked therein, concerning the Weight or Quantity of the Goods, Wares, or other Matters or Things therein loaded, embarked, or contained, it shall be lawful for any such Collector to stop and detain any such Boat, Barge, or other Vessel, and to weigh or gauge or cause to be weighed or gauged such Boat, Barge, or other Vessel, and all such Goods, Wares and Merchandize, or other Matters or Things as shall be therein loaded, embarked, or contained; and in case the same shall, upon such weighing or gauging, appear to be of greater Weight or Quantity than the Account given thereof by such Master, Owner, or other Person having the Care of such Boat, Barge, or other Vessel, then it shall be lawful to and for the said Trustees, and they are hereby authorized to charge for such Goods and Things according to the Weight thereof declared by the Gauge of such Boat, Barge, or other Vessel, and the graduated Index thereon, and the Master, Owner, or other Person giving such

Account shall pay the Costs and Charges of such weighing or gauging; and all which Costs and Charges upon Refusal of Payment on Demand, shall and may be recovered and levied in the same Manner as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Goods, Wares, Merchandize, or other Matters and Things shall appear to be of the same or of a less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Trustees shall pay the Costs and Charges of such weighing or gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Goods, Wares, Merchandize, or other Things, such Damages as shall have arisen from such Detention; and in default of Payment thereof the same shall be recovered from the said Trustees by Action of Debt in any of His Majesty's Courts of Record.

*Cut to be free on Payment of Rates.*

LI. And be it further enacted, That all Persons whomsoever shall have free Liberty to use, with Horses, Cattle, and Carriages, the Roads and Ways vested in the Trustees of this Act, for the Purpose of conveying any Materials, Timber, or other Goods, Wares, Merchandizes, and Things to or from the said Cut and Channel, and every Part thereof, without paying any thing for the same, and also to navigate and pass upon and use the said Cut and Channel with any Boats, Barges, or Vessels, and also to use the Towing Paths with Men, or with Horses or other Cattle, for hauling and drawing such Boats, Barges, and Vessels, but for no other Purposes, upon Payment of such Rates as shall be demanded by the said Trustees, not exceeding the Sums herein-before mentioned.

*Vessels to be moored not to obstruct Passage of Water;*

LI. Provided always, and be it enacted, That for preventing Impediments to the Discharge of the Waters of the said River, Cut, and Channel in Times of Flood, it shall be lawful for the said Trustees, and they are hereby directed and required, in Writing under their Hands, to appoint some fit Person or Persons to regulate and order the Situation in



which any Vessels lying in the said River, Cut, and Channel shall be moored, so as to offer the least Impediment or Obstruction the Case may admit of to the Course and Passage of the said Waters; and in case any Master or other Person having the Command or Care or Custody for the Time being of any Barge, Boat, or other Vessel, shall refuse or neglect to obey the Orders and Directions of the Person or Persons so to be appointed, he shall for every such Offence forfeit and pay to the said Trustees a Sum of Money not exceeding Twenty Pounds nor less than Five Pounds.

*Nor within 200 Yards from the Glen Outfall Sluice.*

LII. And be it further enacted, That if any Person or Persons shall hereafter moor, stay, or fasten, or cause or procure to be moored, stayed, or fastened, any Barge, Boat, or other Vessel, within the Distance of Two hundred Yards from the Outfall Sluice of the said River *Glen*, or if any Person or Persons shall hereafter and contrary to any Order to be made by the said Trustees in that Behalf, force or keep open the Sea Doors of the said Sluice, so as to admit the Sea Water into the said River *Glen*, every Person so offending shall for every such Offence forfeit and pay to the said Trustees any Sum of Money not exceeding Twenty Pounds nor less than Five Pounds.

*Draw Doors may be placed in the River Glen.*

LIII. And be it further enacted, That for the Purpose of assisting the Navigation of the said River *Glen*, it shall and may be lawful to and for the said Trustees, at the Instance and Request in Writing of the Agent for the Time being of the Honourable Adventurers of *Deeping Fen*, and of the Dikereeves for the Time being of the several Parishes of *Gosberton*, *Surfleet*, and *Pinchbeck*, in the said County of *Lincoln*, or any of them, and at the Costs and Charges of the Person or Persons desiring the same, to make and place, or cause to be made and placed, Draw Doors in the Arches of or otherwise to be connected with the Outfall Sluice of the said River *Glen*, but the said Draw Doors shall be and remain under the Controul and Direction of the said Trustees,

and be removable at their Discretion, in case it shall be found necessary or expedient to remove them.

*Taxes to be reduced after Ten Years.*

LIV. And be it further enacted, That all the Lands comprized in the said first recited Act, and thereby made subject and liable to any Rate, Tax, or Assessment under the Authority thereof, and which are not exonerated and discharged therefrom by this Act, shall, from and after the Twenty-fourth Day of *June* succeeding the Expiration of Ten Years next after the passing of this Act, remain, continue, and be subject and liable to the Payment of One equal Moiety or Half Part only of the said Rate or Assessment charged thereon respectively in or by virtue of the said first recited Act, and which Moiety or Half Part of such Tax, Rate, or Assessment shall be collected and received in such and the like Manner, and be applied to and for such and the like Purposes as the entire Rate, Tax, or Assessment is hereby made applicable unto, immediately upon or after the passing of this Act.

*Taxes and Rates may be further reduced.*

LV. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and required, at any Time after such Reduction of the said Rates, Taxes, and Assessments shall have taken place as herein-before mentioned, and either at one and the same Time, or at several Times, upon the Agreement and Requisition of the Owners of Land charged with the said annual Rates, Taxes, or Assessments (such Agreement and Requisition to be made and testified in manner herein-after mentioned), to reduce all the said annual Rates, Taxes, and Assessments, and also the said Tolls and Duties, in such Proportion as they shall deem expedient and adequate for the Purposes to which the same are applicable; and in order to such Reduction it shall be lawful for any Five Persons, being each an Owner of Fifty Acres charged or chargeable with the said Rates, Taxes, or Assessments, to give Notice, by Advertisement to be published for Three previous and successive Weeks in such Newspaper as afore-



said, of a Meeting of the respective Owners of Fifty Acres of Land so charged as aforesaid, to be held at some convenient Place in the Town of *Spalding* aforesaid on the *Monday* following the last Publication of such Notice, at Twelve of the Clock at Noon; and at such Meeting every such Owner attending, either personally or by an Agent or Proxy appointed by Writing under his Hand, shall have One Vote for and in respect of every entire Quantity of Fifty Acres of Land which he may have charged with such Rates, Taxes, and Assessments as aforesaid, and the Question shall be decided by the Majority of Votes to be given as aforesaid; and it shall be lawful for the Proprietors present at every such Meeting, or by their Agents or Proxies respectively, to agree and determine to what Extent the said Rates, Toll, and Duties shall be reduced as aforesaid; and such Agreement and Determination shall be expressed in Writing, signed by the Persons assenting thereto as aforesaid, and shall be forthwith delivered to the Clerk or Treasurer to the said Trustees, and the said Trustees shall thereupon order the said Taxes, Rates, Tolls, and Duties to be reduced accordingly.

*Taxes and Rates may be advanced.*

LVI. Provided also, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby also authorized and required, upon such Agreement and Requisition as lastly herein-before mentioned, to advance and increase the said Rates, Taxes, and Assessments, Tolls and Duties, from the Sum to which they shall have been reduced as aforesaid, to any other Sum not exceeding the Amount thereof payable under and by virtue of the said first recited Act and this Act, and again to reduce the same in manner and to the Extent herein-before provided, and so *toties quoties*, as often as the said Owners and Proprietors shall see Occasion.

*Application of Monies.*

LVII. And be it further enacted, That all Monies to arise by virtue of this Act shall be paid to the Trustees of this Act; and that the same, together with all Fines, pecuniary Penalties, and Forfeitures to be levied, recovered, or received by virtue

of this Act, and not herein otherwise appropriated or directed to be applied, shall be applied in the Order and Manner following; (that is to say,) in the First Place, in paying all the Fees, Costs, Charges, and Expenses which shall have been incurred in making Surveys and Reports, and otherwise preparatory to and in applying for, preparing, obtaining, and passing this Act, with lawful Interest upon all Monies which shall have been advanced by any Person or Persons for Payment of any such Expenses; in the Second Place, in paying and defraying the Costs, Charges, and Expenses which shall be incurred in carrying into Execution and perfecting the several Works hereby directed or authorized to be made and executed by the said Trustees, and in removing Shoals, and clearing and deepening the Channel of the said River *Welland*, above, in, and through the Town of *Spalding*, and thence to *Fosdike* Bridge, and in placing Buoys and Beacons below *Fosdike* Bridge, for marking out the navigable Channel, and guiding Vessels in their Passage to and from the said Bridge, and in supporting, maintaining, and improving the several Cuts, Channels, Banks, Sluices, Works, Matters, and Things hereby declared to be vested in the Trustees of this Act, and in carrying into Execution the several other Powers, Authorities, and Trusts reposed in the said Trustees by virtue of this Act; and lastly, in making, enlarging, extending, or otherwise improving such Cuts and other Works of Drainage or Navigation in, above, or below or communicating with the said Cut or Channel, as the said Trustees shall in their Discretion think fit:

*Tonnage Rates alone applicable to Works above the Reservoir.*

Provided always nevertheless, that the said Trustees shall not expend or apply any of the Rates, Taxes, or Assessments to be levied and received from any of the Lands draining by the said River, in and for any of the Works to be executed in the said River above the Reservoir aforesaid; but that such last mentioned Works shall be executed, and the Expenses thereof be discharged by and out of the Tolls and Duties herein-before charged upon Vessels using or navigating the said River, and the Freights or Cargoes thereof.



*Power for Trustees to purchase Lands.*

LVIII. And whereas it is necessary and expedient that the same Powers and Authorities which are given by the said first recited Act to the Commissioners thereof, for enabling them to purchase Lands for the Purposes of the said Drainage, should be extended to and vested in the Trustees for the Time being of this Act; be it therefore further enacted, That all Powers and Authorities vested in or given to the Commissioners of the said first recited Act, for enabling them to purchase Lands or Hereditaments for the Purposes of the said Drainage, save and except such as are varied, altered, or repealed, shall extend and be deemed, taken, and construed to all Intents and Purposes whatsoever to extend to the said Trustees for the Time being, as if such Powers and Authorities had been originally granted to or vested in such Trustees.

*So much of 34 G. 3. c. 10 as provides Compensation for Tithes, repealed.*

LIX. And be it further enacted, That so much of the first recited Act as enacts that full Recompence and Satisfaction shall be made to the several Persons entitled or to be entitled to Tithes, whether Great or Small, arising or accruing out of the Lands which shall be dug out, taken, and carried away in making the said new River or Cut, according to the respective Interests therein of the several Persons so entitled as aforesaid, and that the said Tithes shall be estimated by the said Commissioners at the annual Value they were of in the Opinion of the said Commissioners immediately before the digging out, taking, and carrying away of the said Lands, and that the said annual Value of the said Tithes, and also all Chief Rents or annual Manorial Payments charged by and upon any of the Lands used in forming the said new River or Cut, shall be for ever paid and payable to the several Persons entitled thereto out of the annual Fund to arise from the said Taxes, Tolls, and Pontage, and shall be deducted at the Rate of Thirty Years Purchase out of the Consideration Money to be paid by the said Commissioners for the Purchase of the Lands and Grounds out of which the

said Tithes or Payments were issuing and payable, shall be and the same is hereby repealed.

*Application of Compensation when amounting to 200l.*

LX. And be it further enacted, That the Principal Money to arise from the Sale of any Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act, of any Body Corporate, Ecclesiastical, or Civil, Corporation Aggregate or Sole, Feoffees or Releasees in Trust, Guardians, Committees, or any Trustees, or from any Femes Covert or other incapacitated Person or Persons, or of any Tenant or Tenants for Life or for any other particular Estate, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, [1 G. 4. c. 35.] intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; 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 or Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing charged therewith, and settled or assured to the same Uses, 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 Lands or Hereditaments,



which shall be so conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited to, 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 meantime and until such Purchase shall be made the said Money shall, by Order of the Court of Exchequer upon Application thereto, 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 meantime and until the said Bank Annuities shall be ordered by the said Court 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 be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents or Profits of the Lands and Hereditaments so to be purchased, in case such Purchase or Settlement were made.

*Application when Money shall be less than 200l. but shall amount to 20l.*

LXI. 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 as aforesaid, shall be less than the Sum of Two hundred Pounds and shall amount to or exceed the Sum of 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 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 by Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privy of the said Accountant General of the Court of Exchequer, 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 the Trustees of this Act (such Nomination or Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising therefrom 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 or Approbation of the Court of Exchequer.

*Application when the Money is less than 20l.*

LXII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so purchased, taken, or used as aforesaid, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

*Directing how Monies to be paid in case of Failure of Title, &c.*

LXIII. 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, and Hereditaments to be purchased, taken, or used by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in such Case it shall and may be lawful to and for the said Trustees 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 Privy of the Accountant General of His Majesty's Court of Exchequer, to be placed to his Account to the Credit of the Parties