

Manner of levying and Recovery whereof is not otherwise hereby particularly directed, shall, upon Proof of the Offences respectively before any Justice of the Peace for the Place wherein the Offence shall be committed, or the Offender or Offenders shall be or reside, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible Witness or Witnesses, (which Oath such Justice of the Peace is hereby empowered and required to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, or liable to pay the same, by Warrant or Warrants, under the Hand and Seal of such Justice, and the Overplus, after such Fines, Penalties, and Forfeitures, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising from Fines, Penalties, and Forfeitures, when levied, shall be (if not otherwise directed to be applied by this Act) paid into the Hands of the Treasurer of the Monies to be raised by virtue of this Act, to be applied and disposed of for the Use of the said Navigation, and to and for no other Use or Purpose whatsoever; and in case sufficient Distress shall not be found, and such Fines, Penalties, and Forfeitures, shall not be forthwith paid, it shall be lawful for such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants, under his Hand and Seal, to cause such Offender or Offenders to be committed to the common Jail or House of Correction, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

LXXXIII. And, for the more easy and speedy Conviction of 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, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

Form of
Conviction.

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ A. B. is convicted before me C. D. One of His Majesty's Justices of the Peace for the Parts of *Holland*, (*specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be*). Given under my Hand and Seal the Day and Year aforesaid.

Distress not to
be deemed un-
lawful for
Want of
Form:

LXXXIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money 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 in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Plaintiff or Plaintiffs be deemed a Trespasser or Trespassers *ab initio*, on Account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Nor the Party
distraining
deemed a
Trespasser.

LXXXV. And

LXXXV. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Proceedings
not to be
quashed for
Want of
Form.

LXXXVI. And be it further enacted, That a Majority of the said Trustees so last appointed, assembled at their Annual Meeting to be held in pursuance of this Act, Notice being first given of the Intention of such Meeting, by Writing fixed upon the Gate of the Town Hall, or other conspicuous Place in the Town of *Spalding*, Twenty-one Days before such Meeting, shall, from Time to Time, have full Power and Authority, by virtue of this Act, to make Bye Laws, Orders, and Constitutions, touching the Cuts, Drains, Sewers, Banks, Cloughs, Engines, Bridges, Towing Paths, Haling Ways, and other Works, made, or set up, and appointed, or to be made, or set up, and appointed as aforesaid, for the Purpose of Navigation, and for preserving, repairing, and keeping, the same in order, and for the good and orderly using of the said Navigation, and for the well governing of the Bargemen, Watermen, and Boatmen, who shall carry or convey any Goods, Wares, or Merchandize, on any Part of the said Rivers, or the said new Cut; and to impose and inflict such reasonable Fines and Forfeitures for the Breach of such Bye Laws, Orders, or Constitutions, as the said Trustees, or a Majority of them, shall think fit, so as no such Fines or Forfeitures shall exceed the Sum of Twenty Pounds on any One Person, for any One Offence; which said Bye Laws, Orders, and Constitutions, being reduced into Writing, under the Hands and Seals of a Majority of the said Trustees, shall be binding to, and be observed by all Parties, and shall be sufficient in any Court of Law or Equity, to justify all Persons who shall act under the same, either in punishing such Persons as shall disobey the same, or in levying any Penalty or Forfeiture thereby incurred; but any Person or Persons thinking himself, herself, or themselves, aggrieved by any Order or Judgement made or given by, or in pursuance of any such Bye Law, Order, or Constitution, may, within Three Calendar Months after such Order or Judgement shall be made or given, complain to the Justices of the Peace at their General or Quarter Sessions, to be held in and for the said Division of *Holland*, where the Complaint shall arise, who shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the said Division of *Holland*; and if they see Cause, may mitigate or discharge such Forfeiture or Punishment, and may order the Whole or any Part of the Money to be returned, which shall have been levied in pursuance of such Bye-law, Order, or Constitution; and may also order such further Satisfaction to be made to the Party injured, and also such Costs to either of the Parties as they shall judge reasonable; but no Justice of the Peace shall act or vote in the hearing or determining of any such Complaint, whose Hand and Seal, as a Trustee, shall appear to have been set to the said Bye Law, Order, or Constitution, which occasioned such Complaint.

Trustees to
have Power to
make Bye
Laws.

LXXXVII. And be it further enacted, That all Bye Laws, Orders, Constitutions, and Proceedings, of the said Trustees last appointed, in the Execution

Bye Laws to
be entered in
a Book.

Execution of this Act, shall be entered in a Book or Books to be kept for that Purpose, at their Annual Meeting only; and such Bye Laws, Orders, Constitutions, and Proceedings, when entered, shall be signed by a Majority of the said Trustees; and the Clerk or Clerks attending the said Trustees is and are hereby required to set his or their Name or Names as a Witness or Witnesses thereto; and the said Bye Laws, Orders, Constitutions, and Proceedings, so signed and attested, shall be deemed and taken to be original Bye Laws, Orders, Constitutions, and Proceedings, and shall and may be produced and read in Evidence, in all Causes of Appeals, Suits, Actions, or other Proceedings, touching any Thing done in pursuance of this Act; and such Book or Books shall and may be seen and perused, at all reasonable Times, without Fee or Reward; and Copies thereof, or of any Part thereof, may be taken by any Person or Persons, paying the said Clerk or Clerks for the same, after the Rate of Two-pence for every Seventy-two Words.

No Orders to be altered unless by Trustees.

LXXXVIII. And be it further enacted, That no Order which shall be made by a Majority of the said Trustees so last appointed, by virtue and under the Authority of this Act, at any of their Meetings, shall be altered, reversed, annulled, or made void, at any subsequent Meeting, unless Ten or more of the said Trustees be present at such Meeting, and a Majority of the Trustees then present be consenting thereto, and unless Twenty-one Days Notice in Writing be affixed on the Gate of the Town Hall, or other conspicuous Place in the Town of *Spalding*, in which said Notice shall be expressed what Order or Orders are intended to be reversed or altered.

Rules for mooring Vessels.

LXXXIX. And be it further enacted, That the said Trustees hereby last appointed, or any Five or more of them, shall ascertain the several Distances, nearer than which no Boat, Barge, or other Vessel, shall be suffered to be moored or lie to any Mill or Bridge within the said Navigation respectively, and shall set up Stones or Posts denoting the same; and if any Person shall moor, or cause to be moored, any Boat, Barge, or other Vessel, within the Distance so to be ascertained as aforesaid, every Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds: Provided always, that nothing herein contained shall be construed to extend to prevent, hinder, or obstruct, any Person or Persons from loading or unloading any Boat, Barge, or other Vessel, within the Distance so to be ascertained as aforesaid.

Penalty on Persons obstructing the Navigation, or maliciously opening the Locks.

XC. And be it further enacted, That if any Person, having the Care or Management of any Boat or Vessel, or navigating or working the same, shall load or lay such Boat or Vessel, so as to obstruct the Passage of any other Boat or Vessel upon the said Navigation, or if any Person or Persons whomsoever shall maliciously or wantonly open, or cause to be opened, any Lock or Slacker belonging to the said Navigation, or shall leave any of the Locks or Slackers running, after any Boat or Vessel shall have passed any Lock belonging to the said Navigation, or shall draw, or cause to be drawn, any Slacker in the Lock Gates on such Navigation, so as to mispend or waste the Water, to the Prejudice of the said Navigation, every such Person, for every such Offence, shall forfeit and pay any Sum not exceeding Five Pounds, nor less than Twenty Shillings.

XCI. And

XCI. And be it further enacted, That for the more convenient Situation and Disposition of the Farms and Lands within the Purview of this Act, it shall be lawful for all or any of the Proprietors, whether Guardians, Husbands, Trustees, Committees, Feoffees of Schools, or Poor Estates, Executors, or Life Tenants, or otherwise observed in the Resolution, seised of or interested in Estates within the Purview of this Act, to exchange all or any of his, her, or their Messuages, Cottages, Tenements, Homesteads, Old Inclosures, or other Lands and Grounds, Rents, Revenues, or other Rights or Interests within the Purview of this Act, for any other Messuages, Cottages, Tenements, Hereditaments, Old Inclosures, or other Lands and Grounds, Rents, Hereditaments, Revenues, Rights, or Interests, within the Purview of this Act; and also for joint Tenants, or Tenants in common, or any other Person seised of any undivided Shares or Interests in any Messuages, Tenements, Homesteads, Old Inclosures, Rents, Hereditaments, Reversions, Rights, or Interests, or having or holding any intermixed Lands, Grounds, or Hereditaments, with each other, where their several Bounds or Limits are not exactly known to make Partition thereof, so as all and every such Exchange and Exchanges, Partition and Partitions be made with the Consent and Approbation of the said Commissioners, and so as the Agreement for making the same be certified to them by some Writing, signed by the Parties to exchanging or making Partition, or their Guardians, Agents, or Attornies, and such Agreement, Consent, and Approbation, be specified and declared in the Award or Instrument to be made and executed by the Commissioners, in pursuance of this Act; and every such Exchange or Partition so made as aforesaid, shall be set out by the said Commissioners, by Metes and Bounds, and shall be good, valid, and effectual in the Law, to all Intents and Purposes whatsoever, notwithstanding any Want of Title in the Parties or Persons exchanging or making Partition as aforesaid, or any of them: Provided nevertheless, that no such Exchange or Partition shall be made of Glebe Lands by the Rector or Vicar of any Parish within the Purview of this Act, without the Consent and Approbation of the Lord Bishop of *Lincoln* and the Patron for the Time being, first had and obtained: And provided also, that the Expence of the said Exchanges and Partitions shall be borne and paid by the several Parties interested therein.

XCII. And be it further enacted, That, from and after the Execution of the Award by the said Commissioners as hereby directed, and Notice thereof being given under their Hands, and to be affixed on the several Church Doors of *Quadrang*, *Surfleet*, and *Gosberton*, the several Sluices, Bridges, Banks, Sewers, Drains, Watercourses, Cloughs, and other Works, Matters, and Things, within the said several Parishes of *Quadrang*, *Surfleet*, and *Gosberton*, and also within *Quadrang* Hundred aforesaid, shall be subject only to the Controul, Direction, Survey, Order, and Jurisdiction, of the respective Trustees for the Time being, acting under the Authority of this Act for the said several Parishes of *Quadrang*, *Surfleet*, and *Gosberton*, and also for *Quadrang* Hundred aforesaid, and not to the Controul, Direction, Survey, Order, or Jurisdiction, of any Bodies Politick or Corporate, Commissioners of Sewers, or any other Person or Persons whomsoever; any Law or Statute relating to Sewers, or any former Law or Statute to the contrary notwithstanding.

After the Execution of Award by Commissioners, and Notice given, the Sluices, Bridges, &c. in the several Parishes of *Quadrang*, *Surfleet*, and *Gosberton*, and *Quadrang* Hundred, not to be subject to the Court of Sewers.

Certain Parishes to be taken out of Court of Sewers, on Petition of Two Third Parts in Value of Proprietors.

XCIII. And be it further enacted, That if the several and respective Proprietors of Two Third Parts of the Lands lying in the several and respective Parishes of *Spalding, Pinchbeck, Sutterton, Fosdyke, and Algarkirke*, and paying Taxes as aforesaid, shall, at any Annual Meeting herein directed to be held by the said Trustees, petition the said Trustees to have the Sluices, Bridges, Banks, Drains, Watercourses, Cloughs, and other interior Works of Drainage, taken out of the Jurisdiction and Authority of the said Court of Sewers, the said Trustees are hereby authorized and required to receive such Petition or Petitions; and from and after the Delivery of the same to the said Trustees, and a Certificate from them that such Petition or Petitions was or were signed by the said Proprietors of Two Third Parts of the said Lands, and Notice thereof being given under the Hands of the said Trustees to be affixed on the several Church Doors of *Spalding, Pinchbeck, Sutterton, Algarkirke, and Fosdyke*; then, from and immediately after such Notice or Notices, the said Sluices, Bridges, Banks, Drains, Watercourses, Cloughs, and other interior Works of Drainage, as well upon the Lands of the said Petitioners, as upon all other Lands within the several and respective Parishes shall be subject only to the Controul, Direction, Survey, Order, and Jurisdiction of the respective Trustees for the Time being, acting under the Authority of this Act, for the said several Parishes of *Spalding, Pinchbeck, Sutterton, Fosdyke, and Algarkirke* respectively, and not to the Controul, Direction, Survey, Order, or Jurisdiction of any Bodies Corporate or Politick, Commissioners of Sewers, or any other Person or Persons whomsoever; any Law or Statute relating to Sewers, or any former Law or Statute, to the contrary notwithstanding.

Qualification of Trustees.

XCIV. And be it further enacted, That no Person shall be capable of being chosen a Trustee for any of the Parishes to be taken out of the Court of Sewers as aforesaid, unless he shall be, in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tythes, and Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprizes, or shall be possessed of or entitled to a Personal Estate of the clear Amount or Value of Two thousand Pounds; and unless such Person shall take and subscribe the Oaths following, before any Two or more of the Trustees herein appointed, (who are hereby authorized and required to administer the same), before he takes upon himself to act as a Trustee for the Purposes aforesaid, or in the Execution of the Powers and Authorities hereby granted and given, which said Oaths shall be in the Words, or to the Effect following; (that is to say),

Oaths of Trustees.

‘ I *A. B.* do swear, (or, being of the People called Quakers, do affirm), that I truly and *bona fide* am, in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tythes, Tenements, and Hereditaments, of the clear Yearly Value of One hundred Pounds above Reprizes, or, that I am possessed of and entitled unto a Personal Estate of the clear Amount or Value of Two thousand Pounds.

‘ So help me G O D.’

‘ I *A. B.*

‘ I *A. B.* do swear, (or, being of the People called Quakers, do affirm), that I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the best of my Skill and Knowledge, execute and perform the Powers and Authorities established by an Act, made in the Thirty-fourth Year of the Reign of His Majesty King George the Third, intituled, *An Act for improving the Outfall of the River Welland, in the County of Lincoln, and for the better Drainage of the Fen Lands, Low Grounds, and Marshes, discharging their Waters through the same into the Sea; and for altering and improving the Navigation of the said River Welland by Means of a new Cut to commence below a certain Place called The Reservoir, and to be carried from thence through the inclosed Marshes, and open Salt Marshes, into Wyberton Roads, between the Port of Boston and a Place called The Scalp; and for disposing of the Bare or White Sands adjoining to the said River; and for building a Bridge over the said Cut, so far as relates to the Preservation, Maintenance, and Management of the Sluices, Parish Drains, Bridges, Watercourses, and other interior Works in the Parish of*

‘ So help me G O D.’

And if any Person hereby deemed unqualified or incapable to act for all or any of the Causes aforesaid, shall nevertheless presume so to do, contrary to the true Intent and Meaning of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to such Person or Persons as shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparance shall be allowed.

Penalty on Persons acting if not qualified.

XCV. And be it further enacted, That the said Sluices, Bridges, Banks, Drains, Watercourses, Cloughs, and other interior Works of Drainage belonging to the said *Quadrang* Hundred, and to each of the Parishes so taken or to be taken out of the Jurisdiction of the Court of Sewers as aforesaid, shall, on being so taken out of the said Jurisdiction, from Time to Time, be vested in the respective Trustees for the Time being, acting under the Authority of this Act, for the said *Quadrang* Hundred, and the said Parishes respectively, and shall, from Time to Time, as often as Occasion shall require, be amended, supported, maintained, scoured, and cleansed out, at the several and respective Expences, Costs, and Charges, of such several and respective Parishes; and the same, by Way of Acre Rate, shall be assessed, taxed, charged, and imposed, and shall from Time to Time be recovered by such several and respective Trustees, in the like Manner, and by the same Ways and Means, as the Taxes, Tolls, and Pontage, hereby provided for, are hereby directed to be recovered; and it shall also be lawful for the said Trustees, acting as aforesaid for the said *Quadrang* Hundred and the said Parishes respectively, so taken or to be taken out of the Jurisdiction of the Court of Sewers, to hold such Meetings amongst themselves as they may think proper, and to appoint such Clerks and other Officers to act under them in the Care and Management of the several and respective Sluices, Bridges, Banks, Drains, Watercourses, Cloughs, and other interior Works of Drainage belonging to the said

Parish Drains, &c. vested in Trustees, and to be supported at the Expence of the respective Parishes.

Quadrang

Quadrang Hundred, and the said Parishes respectively, as to the said Trustees shall seem fit and expedient: Provided always, that all Expenses to be incurred in such Care and Management as aforesaid, shall be paid out of the several and respective Funds to be raised by the said Trustees so acting as aforesaid, for the said *Quadrang* Hundred, and for each of the said Parishes so taken and to be taken out of the Jurisdiction of the Court of Sewers, in Manner herein-before provided for, and not out of the general Fund to arise from the said Taxes, Tolls, and Pontage; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Provision respecting the bare Sands.

XCVI. And whereas by the making of the aforesaid new River or Cut, and turning the Waters of the said River *Welland* out of their present Channel or Course into, through, and along, the said new River or Cut, a large Tract of bare shifting Sands, called *The White Sands*, lying between the Salt Marshes on the North Shore and the Salt Marshes on the South Shore, and also the present Channel from the great Dam intended to be made across the same, at or near the upper End thereof, extending downwards to the Junction of the said Channel with the Channel of the *Witham* Waters, will be raised and brought into a State of Pasturage, and hereafter become capable of Cultivation: And whereas the Limits and Boundaries between the Parishes on the North Shore and the Parishes on the South Shore have been immemorially determined by the Low-water Mark of the Channel of the said *Welland* Waters, in their Course through the bare shifting Sands, and the Salt Marshes lying on the North Shore, between the present Sea Bank and the said bare shifting Sands, are enjoyed by certain Owners of embanked and open Marshes in respect of their Frontages, or certain Persons having Right of Common upon the said Salt Marshes, or other Rights and Interests therein: And whereas by an Act, passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for embanking and draining certain Salt Marshes and Low Lands within the several Parishes of Spalding, Moulton, Whaplode, Holbech, and Gedney, in the County of Lincoln, and for preventing the same Marshes and Lands from being overflowed with the Sea; and for altering an Act, passed in the Thirty-first Year of His present Majesty, intituled, 'An Act for dividing and inclosing the Commons, Marshes, Drovers, Waste Lands, and Grounds, in the Parish of Gedney, and Hamlet thereof, called Gedney Fen, in the County of Lincoln,'* it was enacted, That all Claims to future Accretion of Salt Marsh on the said South Shore should, for ever after the Execution of the Award of the Commissioners therein appointed, be regulated by Lines therein directed to be set out by the said Commissioners; and it will be expedient, not only that the Limits and Boundaries between the Parishes on the North Shore and the Parishes on the South Shore, but also between the said bare shifting Sands and the Salt Marshes on the said Shores respectively, should be exactly ascertained and set out; be it therefore further enacted, That, for better ascertaining the Bounds and Limits of the said bare shifting Sands, and the Low-water Mark of the said Channel, and for keeping the exact Quantity of Acres and Boundary Line in Memory at all Times to come, the said Commissioners, at their First, Second, or Third Meeting, to be held by publick Advertisement, shall, and they are hereby directed and required to cause Notice to be affixed upon the Doors of the several Parish Churches, next adjoining on each Side of the said bare shifting Sands

For ascertaining Bounds and Limits of bare shifting Sands and Channel.

and Channel, on Three successive *Sundays*, of their Intention and Design of setting out, planning, abutting, and surveying, the said bare shifting Sands, and the Low-water Mark of the said Channel, and of the Time and Place of Meeting for those Purposes, that the Owner or Owners, Tenant or Tenants, of any Lands or Marshes next adjoining the said bare shifting Sands and Channel, may attend the said Commissioners, at such Time and Place so to be appointed as aforesaid; and in case the said Owner or Owners, Tenant or Tenants, so attending as aforesaid, shall not agree with the said Commissioners, as to the bounding, abutting, and surveying, of the said bare shifting Sands, and setting out the Low-water Mark of the said Channel, that then, and in such Case, the said Commissioners shall, and they are hereby required to apply to the Sheriff of the County of *Lincoln*, to cause a Jury to be summoned, returned, impanelled, and sworn, and a View to be taken; and also to summon and examine upon Oath all such Witnesses as may be necessary to ascertain the Matters in question; and that the Sheriff or Coroner, or his Deputy or Agent, Jurors or Witnesses, making Default in the Premises, shall be subject and liable to the same Penalties as herein-before are directed, for any Default upon a Jury being impanelled, to ascertain the Value of any Land to be purchased for the Purposes of this Act; and the said Jury, so sworn as aforesaid, shall ascertain and set out the Boundaries of the said bare shifting Sands, and the Low-water Mark of the said Channel; and the said Sheriff or Coroner shall give Judgement according to the Verdict of such Jury, which said Verdict, and Judgement thereupon pronounced by the said Sheriff or Coroner, shall be binding and conclusive upon all Parties interested, and the Costs and Charges incident to, and attending the ascertaining and setting out such Boundaries and Low-water Mark, shall be settled by the said Sheriff or Coroner, and paid by the said Commissioners, out of the Fund to arise from the said Taxes, Tolls, and Pontage.

XCVII. Provided always, and be it further enacted, That in all Cases where the Owner or Owners shall not attend at the Time and Place appointed by the said Commissioners, for setting out, surveying, and planning, the said bare shifting Sands and Low-water Mark of the said Channel, that then the said Commissioners shall, according to the best Evidence they can obtain, cause the Boundary of the said bare shifting Sands, and Low-water Mark of the said Channel, to be set out and abuttalled with Stones, and other proper Marks or Abuttals; and after such bare shifting Sands, and Low-water Mark of the said Channel, shall be set out, bounded, and abuttalled as aforesaid, the said Commissioners shall cause the same to be measured and planned, and Two fair Copies of such Plan, distinguishing thereon the several Boundary Stones, Marks, or Abuttals, so to be set up as aforesaid, shall be signed and sealed by the said Commissioners, and One Part thereof shall be delivered to the Clerk of the Peace for the said Parts of *Holland*, to be kept amongst the Records of the Sessions of the Peace for the said Parts of *Holland*, and the other Part thereof shall be kept with the Books and Proceedings of the said Commissioners, for the ready Inspection of all Persons who may be interested therein; and a Copy thereof, or of any Part thereof, signed by the said Clerk of the Peace, shall be admitted as Evidence in any Courts of Justice whatsoever.

If Parties do not attend, the Commissioners may proceed to ascertain the Boundaries, and cause the same to be marked out.