

and all and every such Clerk, Collector, or Receiver, or such other Officer or Officers so to be appointed as aforesaid, before they shall act in the Execution of their several Offices, shall give such Security to the said Commissioners or Trustees for the due Execution of their respective Offices and Trusts, as the said Commissioners or Trustees shall in their Discretion think fit.

Officers to  
account.

And be it further Enacted, That every such Clerk, Receiver, or other Officer, and all other Persons who shall be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall, whenever thereunto required, give unto the said Commissioners or Trustees true and perfect Accounts in Writing under their respective Hands, of all Monies which shall have been by them respectively collected and received, and how and to what Uses the same have been paid and applied, together with proper Receipts and Vouchers of such Payments, and shall pay all such Monies as shall remain in their Hands to the said Commissioners or Trustees, or to such Person or Persons, or to such Uses and Purposes, as they the said Commissioners or Trustees shall direct and appoint; and that all such Officers and other Persons shall verify such Accounts upon Oath, if thereunto required by the said Commissioners or Trustees respectively (which Oath either of the said Commissioners or any One of the said Trustees is hereby empowered to administer); and if any of the said Officers, or any other Person, shall not give such Account, or shall refuse to verify the same in Manner as aforesaid, that then and in either or any of the said Cases it shall be lawful for any Two Justices of the Peace for the said Parts of *Holland*, or Place where such Officer or other Person shall reside, and such Justices are hereby authorized and required to make Enquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby empowered and required to administer); and if any such Person shall be thereof convicted, such Justices shall commit the Party to the Common Gaol of the said County or Place, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account, and verify such Account in Manner as aforesaid; and in case any of the said Officers or other Persons shall refuse or neglect to pay any Sum or Sums of Money which shall appear to remain in his or their Hands, it shall be lawful for any Two Justices of the Peace for the said County, Parts, or Place where such Person or Persons shall reside, to make Enquiry touching such Neglect or

Refusal

Refusal in a summary Way in Manner aforesaid, and by Warrant under their Hands and Seals to cause such Sums of Money as shall appear to them to be due and unpaid, to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus (if any) after the Money remaining due, and the Charges of making such Distress and Sale shall be deducted; and if sufficient Distress cannot be found, then the said Justices, or any other Justices, shall commit such Person or Persons to the Common Gaol of the said County, Parts, or Place, there to remain, without Bail or Mainprize, until he or they shall have paid over such Money in Manner as aforesaid, or compounded for the same, and paid such Composition Money to the said Commissioners or Trustees, or to such Person as they shall respectively appoint to receive the same, which Composition the said Commissioners or Trustees, at any Meeting assembled, are empowered to make.

Provided always, and be it Enacted, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, obstruct, prevent, or defeat any of the Works made or to be made in pursuance of an Act passed in the Thirty-fourth Year of His present Majesty's Reign 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 *Wiberton 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 Roads, and for building a Bridge over the said Cut;" nor in pursuance of a certain other Act, passed in the present Session of Parliament, intituled, "An Act for draining, dividing, allotting, and inclosing *Deeping*, *Langtoft*, *Boston*, *Spalding*, *Pinchbeck*, and *Cowbit Commons*, within the Parts of *Kejleven* and *Holland*, in the County of *Lincoln*, and also for draining *Crowland Common* or *Goggusland*, and certain Lands and Grounds in the Parishes of *Bourn* and *Thurlby*, adjoining or lying contiguous to the North Bank of the River *Glen*, and certain inclosed Lands in *Deeping Fen*, and in the Parishes of *Spalding* and *Pinchbeck*, adjoining to the said Commons, and lying between the Rivers *Glen* and *Welland*; and also for rendering more effectual several Acts of Parliament heretofore passed for draining and preserving the several Lands,

This Act not  
to affect  
Works executed  
under  
the Authority  
of other Acts.

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" Grounds,



" Grounds, and Commons hereinbefore mentioned, or certain " Parts thereof;" nor any of the Works made or to be made by the Adventurers or Persons acting under the Authority of all or any of the Acts now in Force relating to the Drainage of the said *Deeping Fen*, or to empower the Commissioners or Trustees acting in virtue of this Act, or any Owners or Proprietors of the Lands and Grounds hereby intended to be drained, to invalidate, lessen, alter, or take away the Right of the said Adventurers to take Earth or Soil from the said Washes or Fodder Lots for the repairing of the North Bank of the said River *Welland*, pursuant to the Power vested in them for that Purpose, nor any other of the Rights, Powers, and Authorities vested in all or any of the Commissioners, Trustees, or Persons acting under the said several Acts, or any of them, but that the same shall be and continue as fully, to all Intents and Purposes, as if this Act had never been made, any Thing hereinbefore contained to the contrary notwithstanding, except in such Cases only where the same are respectively expressly altered, abridged, or taken away by virtue of this Act; nor shall the Commissioners or Trustees for the Time being, acting under the Authority of this Act, be entitled to discharge the Waters from any of the Lands and Grounds hereby intended to be drained, by Means of Engines or otherwise, into any Part of the Commons or Fens directed to be set out under the said recited Act passed in the present Session of Parliament, in any other Course than into and along the Drain to be set out from the said *Crowland Common* into the Main Drain, required by the same recited Act to be set out and made along the South Drove therein mentioned; or along such other general Course of Drainage for the said Fens or Commons as shall be authorized under the same Act, provided that such Restrictions, in regard to the Course of Drainage, shall not prejudice or affect the usual or accustomed Mode or Course of draining the said *Crowland Common*, until such Main Drains directed by the said Act of the present Session shall be made and completed.

Punishing  
Persons de-  
stroying  
Works, &c.

And, for preventing the breaking down or damaging any of the Works which shall be erected or made in pursuance of this Act, or otherwise obstructing the Execution of the same, **Be it further Enacted**, That if any Person shall wilfully, maliciously, and to the Prejudice of the said Division and Drainage, throw down, damage, or destroy any Banks, Engines, or other Works to be erected and made by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony, and the Court by and before whom such Person shall be tried,

shall

shall have Power and Authority to cause such Person to be punished by the Laws and Statutes of this Realm, or in Mitigation of such Punishment such Court may, if they think fit, award such Sentence as the Law directs in Cases of Felony; and if any Person shall obstruct, hinder, or molest the said Commissioners, or any Surveyor, Workman, or other Person who shall be employed by or under them, or any of them, in the Execution of this Act, or do wilful Hurt or Mischief to prevent the carrying on, completing, or supporting and maintaining the said intended Division and Drainage, every such Person so offending, and being lawfully convicted, shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds, at the Discretion of the Magistrates by or before whom such Person shall be convicted; which Penalty shall be levied, recovered, and applied in like Manner as the Penalties on Persons summoned as Witnesses and not attending, are hereinbefore directed to be levied, recovered, and applied; provided, that after the Completion of the several Works of Drainage herein directed, all Right, Power, Authority, and Jurisdiction of the Commissioners of Sewers, in, over, upon, or through the Lands and Grounds intended to be drained by virtue of this Act, and in, over, and through, or along any of the Drains herein directed to be scoured out, cleansed, and supported by the said Trustees, shall cease, determine, and be for ever extinguished.

**And be it further Enacted**, That the said Commissioners shall and they are hereby required to keep, or cause to be kept, a just and true Account of all Sums of Money which shall be raised or received, and laid out or expended by them, or any of them, or by their Order or for their Use, in the Execution of this Act, and shall truly and regularly enter all the Particulars of such Accounts in a Book or Books to be provided for that Purpose, or kept at the Office of their Clerk, open to the Inspection of any of the said Proprietors or their Agents, at all seasonable Times during the Progress of the said Division and Inclosure, and until the said Accounts shall have been finally settled and allowed in Manner hereinafter mentioned; and in case the said Commissioners, or any of them, or their said Clerk, shall refuse or neglect so to do, the Commissioner or Clerk so refusing or neglecting shall, for every such Refusal or Neglect, forfeit and pay to any Person who shall sue for the same, the Sum of Fifty Pounds, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case.

Commission-  
ers to ac-  
count:

**And be it further Enacted**, That all Monies which shall be raised or received by the said Commissioners, or any of them,

And to pay  
over the  
Money re-  
or



ceived by  
them to a  
Banker.

or by their Order or for their Use, under and by virtue of this Act, shall, as often as the same amount unto the Sum of Fifty Pounds, be paid into the Hands of such Banker or Bankers, or other Person or Persons as shall be nominated by the said Commissioners, and approved by a Majority in Value of the said Proprietors present at the First Meeting of the said Commissioners, in the Notice of which Meeting shall be expressed their Intention of then appointing such Banker or Bankers, or other Person or Persons as aforesaid, and the Monies so paid in shall be placed to the Credit of the said Commissioners, and shall not afterwards be issued out of the Hands of such Banker, or other Person or Persons, without an Order under the Hands of the said Commissioners, specifying the Sum to be paid, the Person to whom the same is made payable, and the Service for which the same is due; and the said Commissioners shall not be answerable or responsible for the Acts, Receipts, Neglects, or Defaults of each other, nor for any Money paid in pursuance of any Order, unless they shall actually sign the Order for Payment thereof; and the Majority in Value of the Proprietors, or their respective Agents, present at the Meeting for executing the said Award, or at some other Meeting to be holden in pursuance of Notice for that Purpose, are hereby authorized finally to settle and allow all the Accounts of the Commissioners touching and concerning the Execution of this Act; and upon the final Settlement of the said Account, the Balance (if any) shall be immediately repaid to the Land Owners, in proportion to the Sums they respectively paid or contributed thereto.

Appeal.

And be it further Enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Act, Matter, or Thing done or to be done by virtue or in pursuance of this Act (other than and except such Orders or Determinations as are hereinbefore declared to be final and conclusive) it shall be lawful for such Person or Persons, within the Space of Four Months next after such Act, Matter, or Thing shall be done or ordered to be done, to complain or appeal to the Justices of the Peace at their General Quarter Sessions of the Peace to be holden for the said Parts of *Holland*, which said Justices so assembled in Sessions, are hereby authorized and required to hear and determine the Matter of every such Appeal, and to make such Order, and award such Costs and Damages as to them in their Discretion shall seem reasonable; which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removable by *Certiorari*, or any other Writ or Process.

Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

And it is hereby Declared and Enacted, That nothing hereinbefore contained shall in anywise prejudice, lessen, or defeat the Right, Title, or Interest of any Lord or Lords, Lady or Ladies, of any Manor or Manors, of, in, or to any Seigniories or Royalties, or any Lands incident or belonging thereto; but that every such Lord or Lords, Lady or Ladies, of any Manor or Manors, shall and may at all Times hereafter hold and enjoy all Rents, Services, Fines, Courts, Courts Leet and Baron, Perquisites and Profits of Courts, Goods and Chattels of Felons and Fugitives, Felons of themselves and put in Exigent, Deodands, Waifs, Estrays, Forfeitures, and all Royalties and Privileges to the said Manor or Manors respectively incident, appendant, belonging, or appurtenant (other than and except such Common of Pasturage or Right of Common as can or may be claimed by or belonging to him, her, or them, as Lord or Lords, Lady or Ladies, of such Manor or Manors respectively, in, over, and upon the Whole of the said Lands and Grounds hereby intended to be drained, divided, and inclosed as aforesaid) in as full, ample, and beneficial Manner, to all Intents and Purposes, as he, she, or they held and enjoyed the same before the passing of this Act; any Thing hereinbefore contained to the contrary thereof notwithstanding.

Saving Lords  
Rights.

Saving always to the KING's Most Excellent MAJESTY, General  
His Heirs and Successors, and to all and every other Person and Saving.  
Persons, Bodies Politic and Corporate, his, her, or their Heirs, Successors, Executors, Administrators, and Assigns (other than and except the respective Persons to whom any Allotment or Allotments of Land or other Compensation shall be made or provided by virtue of this Act, in respect of the Interest or Property for which such Allotment or Compensation shall be made, and except such other Rights and Interests as the Intent and Purposes of the Inclosure hereby authorized shall absolutely require to be barred, destroyed, or extinguished by this Act) all such Estates, Rights, and Interests, as they, every, or any of them had or enjoyed, of, in, and to or in respect of any of the Lands and Grounds hereby directed to be divided and inclosed, before the passing of this Act, or could or might have had or enjoyed if this Act had not been made.

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And



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 other Persons whomsoever, without specially pleading the same.

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