

all other the Lands and Grounds both open and inclosed, lying within the said several Parishes or Places before named, or any of them, or intended to be drained, exchanged, or partitioned, by virtue of this Act, and also to erect Mills or Engines, and make and repair Drains, Ditches, Banks, Sluices, Cloughs, Watercourses, and Bridges, or other Works within any of the Lands or Grounds hereby authorized to be divided and inclosed or drained respectively, as the Nature of the Case and the due Execution of this Act may require, subject nevertheless to such Restrictions with respect to the said inclosed Lands in *Deeping Fen* as herein-after mentioned.

Land to be
set out for
Main Drains
and other
Drains, and
on the South
Drove and
North Drove,
and next the
Rivers *Glen*
and *Welland*.

XI. And be it further enacted, That the said General Commissioners shall, in the first place, set out from the said Commons (lying between the Rivers *Welland* and *Glen*) One hundred and twenty Feet of Land in Breadth next adjoining to the several Banks of the said Rivers, for the Purpose of selling such Parcels of the said Commons, so set out, together with the Herbage of the said Banks, to the said Adventurers, in Manner and subject as well to such Communications across the same as herein provided for, as to the Right of the said Adventurers to get Earth for the Repairs of the said Banks, and shall also set out from *Pinchbeck* North Fen One hundred and twenty Feet of Land in Breadth adjoining to the North Bank of the said River *Glen*, to be allotted by the Special Commissioners for the said Parts of *Holland*, in common with the Residue of the same Fen, pursuant to the Directions herein contained, but subject as to the last-mentioned One hundred and twenty Feet to the Right of the Black Sluice Commissioners herein-after named, to get Earth for the Repairs of the said North Bank of the said River *Glen*, in as ample a Manner as the same Commissioners are now entitled to get and use the same, and shall also set out such Main Drains, and other Drains, Banks, and Forelands, as are herein directed to be made, at the joint Expence of the said Adventurers and Persons interested in the Commons lying between the said Rivers *Welland* and *Glen*, and likewise set out the Residue of the Drovers called *The South and North Drovers*, for the Purpose of selling such Residue of the said Drovers to the several Frontagers thereon, in Manner herein-after also mentioned.

Publick Roads
to be set out.

XII. And be it further enacted, That the said General Commissioners shall, in the next Place, set out all such publick Carriage Roads, in, over, through, or upon the Lands and Grounds hereby directed to be divided and inclosed, as they in their Discretion shall think necessary and proper, so as such publick Carriage Roads, in all Cases where Subdivisions of the said Commons or Fens, Drovers, and Waste Lands, are herein directed to be made, shall be and remain Forty Feet in Breadth at the least between the Ditches or Fences, and shall be well and effectually fenced out on both Sides by such of the Owners and Proprietors of Allotments on the Subdivision of the said parochial or general Allotments, so intended to be subdivided and inclosed, and within such Time as the same Commissioners shall by any Writing under their Hands direct or appoint; and that it shall not be lawful for any Person to erect any Gate across any of the said Carriage Roads, over or through the Lands to be subdivided and inclosed as aforesaid, or to plant any Trees in or near the Fences on the Sides thereof, at a less Distance from each other than Fifty Yards; and after the said publick Carriage Roads shall have been

been set out as aforesaid, the said General Commissioners shall, and they are hereby empowered and required, by Writing under their Hands, to appoint some proper Person or Persons to be a Surveyor or Surveyors of the said Roads, and every such Surveyor shall cause such Part and Parts of the said Roads as shall be under his Direction, to be properly formed and completed, and put into good and sufficient Repair, and shall be allowed such Salary or Reward for his Trouble therein as the same Commissioners shall, by Writing under their Hands, direct and appoint; which Salary or Reward, and also the Expences (over and above the Statute Duty) of forming the said Roads, and of putting the same in good and sufficient Repair, shall be paid by the said General Commissioners from and out of the Fund hereby directed to be raised for defraying the Expences of passing this Act, and in Part carrying the same into Execution; and that none of the Inhabitants of the said several Parishes or Places, other than the Persons interested in the Lands and Grounds hereby intended to be divided and inclosed, shall be charged or chargeable (over and above the Statute Duty) towards the forming and repairing of the said publick Carriage Roads, until the same shall be made fit for the Passage of Travellers and Carriages, and shall have been certified so to be by the Surveyor under whose Direction the same shall then be, by Writing under his Hand to be delivered to the Clerk of the Peace at some Quarter Sessions of the Peace, to be holden for the Parts in which the said Roads are respectively situated, and until such Certificates shall have been allowed and confirmed by the Justices at such Sessions, which said Certificates respectively shall be so delivered to the Clerk of the Peace, at the Quarter Sessions next after the Roads referred to by the same shall be formed, completed, and put into good and sufficient Repair as aforesaid, and within the Space of Two Years next after the Execution of the Award of the said General Commissioners, unless sufficient Reason be given, to the Satisfaction of the said Justices, that a further Time is necessary for that Purpose, in which Case the said Justices may, and they are hereby empowered to allow such further Time for the delivering in the said respective Certificates as they shall think proper, not exceeding One Year; and in case any such Surveyor shall neglect or refuse to deliver in such Certificates within the Time before limited, he shall forfeit and pay the Sum of Twenty Pounds, to be recovered by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the Parts or Division within which such Roads shall lie, rendering the Overplus (if any) to the said Surveyor, after deducting the Charges and Expences of such Distress and Sale, and such Penalty, when recovered, shall be applied towards repairing the same publick Carriage Roads; and that when any such Certificate or Certificates shall have been delivered to the said Clerks of the Peace by the said respective Surveyors as aforesaid, and shall have been allowed and confirmed at such Sessions, the Roads to which such Certificate or Certificates shall relate, shall be from Time to Time supported and kept in Repair, in the same Manner as the other publick Roads within the same Parish are by Law to be amended and kept in Repair; and that after such publick Carriage Roads shall be set out and made, it shall not be lawful for any Person or Persons to use any other publick Carriage Roads in, over, through, or upon the Lands or Grounds hereby directed to be divided and inclosed respectively; and that all former publick Carriage

riage Roads through the said Lands and Grounds, shall be deemed Part of the Lands and Grounds to be divided and inclosed by virtue of this Act; and the said General Commissioners shall, and they are hereby also required to set out all necessary Communications between the said parochial or general Allotments and the several private Estates adjoining thereto respectively, and also between the Banks of the said Main Drain along the said *North Drove* and *South Drove*, and the inclosed Lands in *Deeping Fen*, and across the said One hundred and Twenty Feet of Land in Breadth, herein directed to be sold to the said Adventurers, and the said other One hundred and twenty Feet in Breadth, on the North Side of the said River *Glen*, so as to preserve all necessary Roads and Passages between the said Rivers of *Glen* or *Welland*, the said *Crowland Common* or *Goggusland*, and the Lands and Grounds herein directed to be set out in parochial or general Allotments, or subdivided under the Authority of this Act; and shall in and by their said Award, order and direct by whom and in what Manner such private Roads, Ways, and Communications respectively, shall be repaired, maintained, and supported.

Allotments
for repairing
of Roads.

XIII. And be it further enacted, That the said General Commissioners shall and may, if they shall think necessary, dig and take Gravel, Silt, and other Materials from any Part of the Lands and Grounds hereby directed to be divided and inclosed, or set out into parochial or general Allotments, for the Formation of the said publick Roads, and allot any Part of each parochial or other general Allotment, to be set out as herein is directed, for the future Repair of the several publick Roads within the Parish or Place to which the same shall respectively belong, and also set out proper Allotments for the digging Clay and Mortar, so that such Allotments do not exceed Three Acres in any One of the said Parishes or Places; and that all the Grass and Herbage growing on any of the said publick Roads and Places set apart for getting Materials for the Repair thereof, or for Clay or Mortar as aforesaid, shall be, and are hereby vested in such Person or Persons to whom the Special Commissioners for the Division within which the same are respectively situate, shall award the same.

Boundary
Line between
the Parts of
Kesteven and
Holland.

XIV. And whereas Doubts have arisen touching the Boundaries between the said Parts of *Kesteven* and *Holland*, upon such Parts of the said Commons as are known by the several Names of the *North Drove* and *South Drove*, and it is expedient such Doubts should be removed; be it therefore further enacted, That the said General Commissioners be it therefore further enacted, That the said General Commissioners shall, as soon as may be after the passing of this Act, proceed to ascertain the said Boundaries, and upon such Evidence as can be obtained by them, either by Examination of Witnesses upon Oath, (which Oath any One of the said General Commissioners is hereby empowered to administer), or of any Records or other Documents, to fix and determine the Boundary Line between the said Parts of *Kesteven* and *Holland*, upon the said *North Drove* and *South Drove* respectively; and that all Parts of the said Commons lying on the West Side of the said Boundary Line, shall be and remain for ever thereafter within the said Parts of *Kesteven*, and shall be so deemed, taken, and considered for all Intents and Purposes whatsoever; and that all Parts of the said Commons lying on the East Side of the said Boundary Line, shall be and remain for ever thereafter

thereafter within the said Parts of *Holland*, and shall be so deemed, taken, and considered for all Intents and Purposes whatsoever.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to authorize any Person or Persons whomsoever to enter into or upon any Part or Parts of the inclosed Lands in *Deeping Fen*, except for the Purpose of surveying and admeasuring the same, and for regulating the several Water Engines thereon, as herein provided for, and for the Recovery of such Rates, Taxes, and Assessments as are herein authorized to be levied and raised.

Act not to
extend to
Deeping Fen,
except for
draining.

XVI. And be it further enacted, That all and every Person and Persons, and every Body Politick and Corporate, claiming any Manerial Right, or any Messuages, Houses, Toftsteads, Lands, Tenements, Tythes, Hereditaments, Right of Common, or other Right or Interest whatsoever, for or in respect of which any Allotment or Compensation is directed or intended to be made by virtue of this Act, shall, and they are hereby required to deliver to the said General Commissioners, at or before their Second Meeting, or at such other Time as the said General Commissioners shall appoint for that Purpose, an Account in Writing under their respective Hands, or the Hands of their respective Agents or Attornies, containing a true and particular Description of the said Manerial Rights, and also of the Messuages, Houses, Toftsteads, Lands, Tenements, Tythes, Right of Common, and other Hereditaments for which any Allotment or Compensation is claimed by them respectively, distinguishing therein the Open and Common Lands from the inclosed Lands, and the computed Quantities thereof respectively, and with what Messuage, House, or Toftstead the said Lands are occupied, with the Name of the Person occupying the same, and by what Tenure, and for what Estate the same, and every Part thereof, are then respectively held, and whether such Lands or Hereditaments are claimed to be held discharged of Tythes, or subject to a Modus or Customary Payment in lieu thereof; and no such Account or Claim shall afterwards be received by the said General Commissioners, except for some legal Disability or special Cause, to be allowed by the same Commissioners, all which said Claims or Accounts shall, at all seasonable Times until after the final Determination shall have been made as herein provided for, be open to the Inspection and Perusal of all Parties interested or claiming to be interested in the Premises, their respective Agents or Attornies, who may take Copies thereof or Extracts therefrom respectively; and printed Copies or Abstracts of all such Claims shall be lodged with the Clerk or Clerks to the said General Commissioners, and also in such of the said Parishes and Places as the said General Commissioners shall appoint for that Purpose, of which Notice in Writing shall be fixed on One of the outer Doors of the several Churches and Chapels aforesaid, under the Hands of the said General Commissioners; and if any Person or Persons, or Body Politick or Corporate, interested or claiming to be interested in the Premises, shall have any Objection to offer to any such Account or Claim, the Particulars of such Objection shall be reduced into Writing, and signed by the Person or Persons, or sealed by the Body Politick or Corporate making the same, or signed by the Agent or Agents, Attorney or Attornies of such Person or Persons, Body Politick or Corporate respectively,

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26 T

spectively, and shall be delivered to the said General Commissioners within such Time as they shall appoint for that Purpose; and no such Objection shall afterwards be received, unless for some legal Disability or special Cause to be allowed by the said General Commissioners.

Commissioners to determine disputed Claims.

XVII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Proprietors of, or Persons interested in any of the Lands or other Hereditaments intended to be divided and inclosed by this Act, touching or concerning any of their Claims, Estates, Rights, or Interests therein or any Allotment or Compensation to be made in lieu thereof, it shall be lawful for the said General Commissioners, and they are hereby required, by the Examination of Witnesses, or Oath or Affirmation (which Oath or Affirmation any One of the said General Commissioners may administer) and by such other Enquiry, Information, Evidence, and Proof, as they shall think expedient, and by taking the Opinion of Counsel for their further Satisfaction in every Case where they shall deem it requisite, to hear, adjudge, and determine such Differences, both as to the Person or Persons to whom the Allotment shall be made, and as to the Specification of the Lands or Hereditaments about which the Difference shall arise, and what the Allotment in lieu of such Lands or Hereditaments should be; and in case the Party or Parties making any such Claims, or the Person or Persons objecting thereto, shall be dissatisfied with such Determination, and shall, by Writing under his or their Hand or Hands, or the Hands of their known Agents respectively, signify the same to the said General Commissioners, or any of them, within Twenty Days next after such Determination shall be made, in such Case, but not otherwise, it shall be lawful for the Person so dissatisfied with such Determination, to have the Subject of such Claim or Objection, in respect of which such Determination shall be made, tried at Law, by an Action to be brought by him or them against any Person or Persons in whose Favour any Determination shall have been so made, upon a feigned Issue, to be settled by the proper Officer of the Court where such Action shall be brought, in case the Parties differ about the same, such Action to be brought within Two Calendar Months next after such Determination shall have been made; and the Defendant or Defendants in such Action shall, and is and are hereby required to appear to such Action, accept a Declaration, and plead to Issue, and the Plaintiff or Plaintiffs shall thereupon proceed in such Action, so as to have the same tried and determined at the first or second Assizes to be holden for the County of *Lincoln* next after the Commencement of such Action; and the Verdict of the Jury on such Trial, if the same shall be satisfactory to the Court, shall be binding, final, and conclusive upon all the Parties interested therein; and the Costs and Charges of defending such Action, so far as the Defendant or Defendants therein shall be charged with Costs, shall be borne and paid either by the Defendant or Defendants, or by all or such of the Persons interested in the said Commons, Drovers, and Waste Grounds, in such Shares and Proportions as the said General Commissioners shall think reasonable, and shall, by Writing under their Hands, direct and appoint: Provided always, That all such Determinations of the said General Commissioners as shall not be objected to, by such Notice to be given to the said General Commissioners, or any One of them as aforesaid, or being so objected to, and the dissatisfied Parties respectively not causing such

such Action at Law to be brought and proceeded in as aforesaid, shall be absolutely binding, final, and conclusive.

XVIII. Provided always nevertheless, That nothing herein contained shall authorize the said General Commissioners to hear and determine any Difference or Dispute which may arise touching the Right or Title to any Manerial Rights, Messuages, Houses, Toststeads, Lands, Tythes, Tenements, Common Rights, or other Rights within the said several Parishes or Places interested in the said Division and Inclosure, or affected by this Act, for which the Parties may commence and prosecute such Suits or Remedies at Law or in Equity, as they shall be advised and think proper.

But not to determine upon Rights or Titles.

XIX. Provided also, That no Difference or Suit, touching the Title to any Lands or other Rights, shall impede or delay the said General or respective Special Commissioners in the Execution of the Powers respectively vested in them by virtue of this Act, but the Divisions and Inclosures hereby directed to be made, shall be proceeded in, notwithstanding such Difference or Suit.

Suits not to impede the Inclosures.

XX. And be it further enacted, That in case any Person or Persons shall neglect or refuse to attend the said General Commissioners to give Evidence in any such Disputes or Differences as aforesaid, then the said General Commissioners shall and may, and they are hereby authorized and required, by Writing under their Hands directed to such Person or Persons so neglecting or refusing as aforesaid, to require such Person or Persons to attend them at such Time and Place as shall be specified in such Writing, to give Evidence in the Matters aforesaid; and all and every Person and Persons, upon being served with a Copy of such Summons, or having a Copy thereof left at his, her, or their respective Place or Places of Abode, Ten Days at the least before the Time to be appointed for such Attendance, is and are hereby required to attend the Commissioners issuing such Summons accordingly, and give Evidence to the best of their Knowledge touching such Disputes and Differences as aforesaid; and upon such Person or Persons not complying with or not obeying such Summons as aforesaid, except for some reasonable Excuse to the Satisfaction of the said Commissioners, such Commissioners issuing the same are hereby authorized and empowered, for every such Neglect, to levy or cause to be levied such Penalty as they shall think proper, not exceeding the Sum of Five Pounds, by Distress and Sale of the Goods and Chattels of every Person so refusing to obey such Summons as aforesaid, and apply the same in such Manner and in such Proportions as in the Judgement of the same Commissioners shall be most proper and advantageous, for the Person or Persons on whose Behalf such Person or Persons was or were summoned as a Witness or Witnesses as aforesaid; and if the Person or Persons neglecting or refusing to comply with such Summons as aforesaid, shall not have sufficient Goods or Chattels whereon to levy the said Penalty, that then and in such Case it shall be lawful for any One of His Majesty's Justices of the Peace for the Parts in which such Summons shall be issued, not interested in the said Inclosure, upon Application to him for that Purpose made, and a Certificate under the Hands of the Commissioners issuing such Summons laid before him, setting forth the Name or Names of the Person or Persons so summoned as a

For compelling Attendance of Witnesses.

Witness

Witness or Witnesses, and his or their Non-compliance with or Disobedience of such Summons, and not having sufficient Goods or Chattels whereon to levy the said Penalty, to issue his Warrant for apprehending such Offender or Offenders, and upon his or their Refusal or Neglect to pay the said Penalty, and all incidental Costs, Charges, and Expences, to commit such Offender or Offenders to the House of Correction for any Time not exceeding the Space of Three Calendar Months.

Expences of Claims objected to and disallowed, to be paid by the Persons concerned therein.

XXI. And be it further enacted, That all Costs and Charges to arise, or be occasioned in or relating to the investigating, settling, or determining any Claim or Claims which in pursuance of this Act shall be made before or delivered to the said General Commissioners, and which shall or may be objected to or disputed, shall, if such Claim or Claims be finally disallowed, be either borne or paid by the several Claimants whose Claims shall have been so finally disallowed, or at the Expence of all the said Proprietors of, or Persons interested in the said Commons, Drovers, and Wastes, and ancient inclosed Lands, or at the Expence of such One or more of them only as shall be a Party or Parties to, or interested in such Claim or Claims respectively, or in such Proportions by each of the said Parties as the said General Commissioners shall order; direct, and appoint; and shall be recovered in like Manner as Penalties to be incurred under this Act are herein directed to be recovered.

General Ascertainment of Rights between the Proprietors interested in the respective Parts of Kesteven and Holland.

XXII. And be it further enacted, That the said General Commissioners shall, and they are hereby authorized and required, as soon as conveniently may be after the said publick Carriage Roads shall be set out as aforesaid, in the next place to proceed in ascertaining the Rights and Interests of the several Persons and Parties interested in the Division and Inclosure of the said Commons, called *Deeping Common* otherwise *Market Deeping Common*, and *Deeping Saint James Common*, *Langtoft Common*, *Boston Common*, *Cowbit Common*, and *Cowbit Wash*, *Spalding Common*, and *Pinchbeck South Fen*, by the Ways and Means herein-after mentioned; and if upon such Ascertainment it shall be found that the aggregate Value of the Rights and Interests in the said Commons, in respect of Messuages, Houses, Toststeads, Lands, and Hereditaments within the said Parts of *Kesteven*, shall exceed the Proportion of the said Commons herein declared to be situated within the same Parts, that then and in such Case, in addition to that Portion of the said Commons so declared to be within the Parts of *Kesteven*, the Residue of such Rights and Interests shall be compensated for by and out of such Portion of the same Commons as is herein declared to be situate within the said Parts of *Holland*; and that in like Manner, if the Rights and Interests in the said Commons, in respect of Messuages, Houses, Toststeads, Lands, and Hereditaments, within the said Parts of *Holland*, shall exceed the Proportion of the said Commons herein declared to be within the same Parts, then and in such Case, in addition to the Portion or Share of the said Commons so declared to be within the said Parts of *Holland*, the Residue of such last-mentioned Rights and Interests shall be compensated for by and out of such Portion of the said Commons as is herein declared to be situate within the said Parts of *Kesteven*; provided, that in the Ascertainment of all such Rights and Interests as aforesaid, the said General Commissioners shall adjudge and determine whether the Owners and Proprietors of Messuages, Houses, and Toststeads, shall have an equal Share in respect thereof, or what Proportion the

How Rights shall be ascertained.

the Share of such Owners and Proprietors of Messuages and Houses shall bear to the Share of such Owners and Proprietors of Toststeads.

XXIII. And whereas by an Act, passed in the Thirty-fourth Year of the Reign of His present Majesty, 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*, the Owners and Proprietors of or Persons severally interested in *Crowland Common*, *Washes*, and *Fodder Lots*, and in the Lands and Grounds intended to be divided and inclosed by virtue of this Act, except the said North Fen, *Droves*, and *Waste Lands* in *Spalding* and *Pinchbeck* aforesaid, are subject or liable to the Payment of a certain annual Acre Rate, Tax, or Assessment, towards defraying the Charges and Expences of executing the several Works of Drainage in and by the said last-mentioned Act directed and authorized to be done and executed, in common with the Owners and Proprietors, or Persons interested in other Lands and Grounds by the same Act intended to be drained, in such Proportion, and with such Powers of recovering the said Rate, Tax, or Assessment, as in the same Act is expressed: And whereas the Rate, Tax, or Assessment due and payable in respect of the said *Crowland Common*, *Washes*, and *Fodder Lots*, and of such of the Lands and Grounds intended to be divided and inclosed by virtue of this Act, as are chargeable therewith, has not been raised, paid, or discharged, and there now remains a considerable Sum in respect of such Rate, Tax, or Assessment, due to the Persons authorized by the said recited Act to receive and recover the same; be it therefore further enacted, That for defraying the Costs, Charges, and Expences herein-after directed to be raised and paid by Sale of Land, and for paying such Arrear of the said Rate, Tax, or Assessment as shall accrue and become due up to the Twenty-fourth Day of *June* One thousand eight hundred and two, as well in respect of the said *Crowland Common*, *Washes*, and *Fodder Lots*, as of the said other Commons liable to the Payment thereof respectively, it shall be lawful for the said General Commissioners, and they are hereby authorized and required, after setting out for Sale to the said Adventurers such One hundred and twenty Feet of Land in Breadth, next adjoining to the Banks of the said Rivers *Welland* and *Glen*, as herein-before directed, to sell and dispose of so much of the said *Crowland Common*, and such further Part or Parts of the said other Commons respectively, liable to the Payment of such Arrears, as will raise a Sum sufficient for the Purposes herein mentioned; and such Sale or Sales shall be made by Auction, unto the best Bidder or Bidders, at a publick Meeting to be held by the said General Commissioners, in pursuance of Advertisement to be Twice inserted in the *Cambridge Chronicle*, and *Lincoln, Rutland, and Stamford Mercury*, or some other Newspaper usually circulated in the County of *Lincoln*, at least Twenty Days before such Sale shall be made, and that Fifteen *per Centum* at least of the

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26 Z

Money

Power to sell Part of the Commons and Fens to defray the Arrears of Taxes due under the Welland Act, the Expences of obtaining this Act, &c.

Money for which such Land shall be sold, shall, at the Time of such Sale, be by the Purchaser or Purchasers thereof deposited in the Hands of the said General Commissioners, and the Remainder of the said Purchase Monies shall be paid to the same Commissioners within Six Calendar Months next after such Sale; and in case such Remainder shall not be so paid within the Time limited for that Purpose, then the Money deposited by such Purchaser or Purchasers at the Time of such Sale, shall be forfeited, and the Lands purchased by such Defaulters shall again be put up to Sale in Manner aforesaid; and that the Receipt or Receipts of the said General Commissioners, for the said Purchase Monies for the Lands so sold, shall be a good and sufficient Discharge, or good and sufficient Discharges to the Purchaser or Purchasers of the said Premises, for so much of the Purchase Monies as in such Receipt or Receipts shall be expressed to be received; and that such Purchaser or Purchasers, after such Receipt or Receipts, shall not be obliged to see to the Application of such Purchase Monies, or any Part thereof, or be answerable or accountable for the Misapplication or Non-application thereof, or of any Part thereof; and the Lands so to be sold shall, upon Payment of the full Purchase Money for the same, be conveyed as Freehold of Inheritance in Fee Simple unto the respective Purchasers thereof; and a Conveyance thereof by Lease and Release made and executed by the said General Commissioners, shall be valid and effectual in the Law to vest the same in such respective Purchasers and their Heirs accordingly; and out of the Money arising by such Sale or Sales, the said General Commissioners shall, and they are hereby authorized and required, in the first Place, to pay unto the Commissioners acting under the said recited Act of the Thirty-fourth Year of His present Majesty's Reign, commonly called *The Welland Commissioners*, or the Treasurer, Banker, or other Person by them duly authorized to receive the same, the Amount of all such Arrears of the said Rate, Tax, or Assessment, due or to accrue due under the said Act, up to the Time herein-before mentioned, in respect as well of the said *Crowland Common* and of the *Washes and Fodder Lots* as of the other Commons respectively liable to such Arrear, for which said several Payments the Receipt of the said *Welland Commissioners*, their Treasurer or Banker, shall be a good and sufficient Discharge to the Person or Persons paying the same, for the Sum in such Receipt expressed to be received; and the Residue of the said Monies so to arise from such Sale or Sales shall be applied by the said General Commissioners, subject to the Directions and Restrictions herein contained, towards defraying the Costs, Charges, and Expences attending the soliciting and obtaining this Act, and of carrying the same into Execution; and all the Costs and Charges of surveying, admeasuring, planning, valuing, dividing, and allotting the said Commons, and also the said North Fen, and the said Drovers and Waste Lands, and the Costs and Charges of surveying, admeasuring, planning, and valuing all such Lands and Grounds lying within the said several Parishes or Places interested in the Lands and Grounds so to be divided and inclosed or drained, or any of them, or to be exchanged or partitioned by virtue of this Act, as are necessary to be surveyed, admeasured, planned, and valued for the due Execution of this Act, and also the necessary Expences of first forming, making, and putting in good and sufficient Repair such publick Carriage Roads as aforesaid, and of paying a Salary to the Surveyor or Surveyors thereof, and of discharging such Part of the Expence

of

of making the several Bridges, Drains, and other Works of Drainage, as is herein directed to be defrayed by the said General Commissioners, and also the Expence of fencing the said parochial or general Allotments from each other, and of preparing and inrolling the Award or Instrument as herein-after mentioned, and all other the necessary Charges and Expences to be incurred in the due Execution of this Act, or that the said General and Special Commissioners, or any Person or Persons acting under them, shall be put unto in respect thereof, not herein otherwise provided for; and in case there shall be any Deficiency after such Sale as aforesaid, then the said General Commissioners shall set out for Sale such further Portion or Portions of the said *Crowland Common* and the said other Commons respectively, as they shall judge sufficient in Value, when sold, to pay and defray the Residue of such Costs, Charges, and Expences; and it shall be lawful for the said General Commissioners to sell, convey, and assure in like Manner such further or other Part or Parts of the said Commons as shall be sufficient, when sold, to defray the Residue of the said Costs, Charges, and Expences, and answer the several Purposes aforesaid.

XXIV. And be it further enacted, That it shall and may be lawful for the said General Commissioners, and they are hereby required to sell and dispose of so much of the said *Pinchbeck North Fen*, or of the Drovers within the said several Parishes and Hamlets of *Spalding, Cowbit, Peakhill, and Pinchbeck*, as will raise a Sum sufficient to pay and discharge all Taxes, Rates, and Assessments, due or to accrue due to the said *Black Sluice Commissioners* in respect of the said North Fen, up to the Twenty-fifth Day of *March* next after Possession shall be given of the Allotments out of the said North Fen, to be made in pursuance of this Act, and also a Sum sufficient to make such Compensation for any Lease or Leases of any Part of the said North Fen, that may have been granted by the Commissioners acting under the Authority of Two several Acts passed in the Fifth and Tenth Years of His present Majesty herein-after recited, or either of them, as the said General Commissioners shall think just and reasonable, in case any such Lease or Leases shall be vacated before such Possession shall be given of the said Allotments as aforesaid, to be ascertained in such and the like Manner as is herein directed in other Cases where Leases are vacated by the said General Commissioners under the Authority of this Act, and to convey the Land so sold in Manner before provided for with respect to other Lands hereby directed to be sold; and in case the said General Commissioners shall not, from Time to Time, pay or cause to be paid to the said *Black Sluice Commissioners*, or their Treasurer for the Time being, such further Taxes for the said North Fen, when and as soon as they shall become due and payable, until the Twenty-fifth Day of *March* next after Possession shall be given of the Allotments to be made in pursuance of this Act, then it shall and may be lawful to and for the said *Black Sluice Commissioners*, or any Five or more of them, and they are hereby authorized and empowered to tax and charge all the Allotments to be made in the said North Fen, with such equal Rates and Taxes as shall be requisite and necessary to raise such Sum or Sums of Money as shall or may be due and in Arrear for the Taxes of the said Fen; and if any Person or Persons whose Allotment or Allotments shall be so taxed by the said *Black Sluice Commissioners*, shall refuse or neglect to pay such Tax for the Space of Twenty Days after Demand

Power to sell
Part of *Pinch-
beck North
Fen, &c.* to
defray Taxes,
&c.