

of the same Drove to the West End thereof, and from thence still further Westwardly, until the same Main Drain or Cut shall communicate with the Cross Drain or Cut herein directed to be made upon such of the said Commons as are herein declared to be within the said Parts of *Kesteven*; and that the said General Commissioners shall also make a Branch from the said Main Drain or Cut, to communicate with the said *Crowland Common*, as near as may be at the Middle of the North Boundary thereof, and such Main Drain from the East End of the said *South Drove* to its Junction with the said Cross Drain, and also the said Branch thereof, shall be of such Dimensions as the said General Commissioners shall find necessary for the Purpose of affording Earth with which to make sufficient Banks to contain the Waters therein; also One other Main Drain or Cut, commencing at the said *Pode Hole*, and extending from thence along the Course of the Drain, called *The Eighteen Feet Drain*, to the East End of a certain Part of the said Commons called *The North Drove*, and enlarging the same Eighteen Feet Drain to the Depth of not less than Five Feet and Six Inches, and the Width of not less than Twenty-four Feet at the Bottom, and extending the same Main Cut or Drain from the East End of the said *North Drove*, along the Middle thereof, as near as may be to the West End of the same Drove, and from thence still further Westwardly, until the same Main Drain or Cut shall communicate with the said Cross Drain or Cut so directed to be made upon such of the said Commons as are declared to be within the said Parts of *Kesteven*, which said Main Drain or Cut last described, so far as the same extends Westwardly from the said *Eighteen Feet Drain*, shall in like Manner be of such Dimensions as the said General Commissioners shall find necessary for affording Earth with which to make sufficient Banks to contain the Waters therein; also One other new Drain or Cut across the several Commons herein declared to be within the said Parts of *Kesteven*, commencing at or near the said North Bank of the River *Welland*, and extending from thence to or near the South Bank of the Counter Drain after mentioned, such new Drain or Cut to communicate with the Two last described Main Drains or Cuts, and to be of the Width of not less than Eighteen Feet at the Bottom, and of the Depth of not less than Five Feet; and the said General Commissioners shall also cleanse and enlarge the Drain, called *The Counter Drain*, extending from *Pode Hole* to the Tunnel, discharging the Waters of *Thurlby Fen Pastures*, under the said River *Glen*, of such Dimensions as they shall find necessary for affording Earth sufficient with which to embank both Sides of the said Counter Drain, and shall also cleanse and scour the Drain, called *Hills Drain*, of such sufficient Width and Depth as the said General Commissioners shall deem requisite, for the Use of the said Owners of inclosed Lands, in *Deeping Fen*, and of the Allotments to be set out from the said Commons as a Main Drain for the Purposes of this Act, and the Slopes of all the said Drains shall not be less than Eighteen Inches in each Foot of perpendicular Height, and all the Earth taken therefrom shall be formed into regular Embankments, with Forelands of not less than Ten Feet on each Side of the said Drains; and the said General Commissioners shall erect and build all such Bridges over the said several Drains as to them shall seem fit and expedient, and of such Dimensions as to admit of the free Passage of Boats under the same, provided that no Horses or other Quadrupeds shall be used in haling the said Boats; and shall also erect proper Bridges and Tunnels across the several Mill Drains, discharg-

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ing Water into the Main Drains in the *North* and *South Drowes*, with proper Doors to the said Tunnels; and shall also cause a certain Drain called *King Street Dike*, so far as the said Drain extends by the Side of the Parish of *Greatford*, to be deepened Two Feet on an Average, and from the South End of the said Parish of *Greatford* to the South End of the Hamlet of *Stow*, shall cause the said *King Street Dike* to be made of the same Depth and Dimensions with the other Part thereof, when so deepened as aforesaid, and the Earth formed into a Bank where necessary, on the East Side of the same Drain.

LXXXIII. And be it further enacted, That the said General Commissioners shall also make a Catchwater Drain, at or near the Western Boundary of the said Commons, in such Direction as may best avoid Injury to the Lands lying between the same and *King Street Dike*, and of such Dimensions as the said General Commissioners shall think necessary.

A Catchwater Drain.

LXXXIV. And be it further enacted, That the several Drains, Bridges, Tunnels, and other Works of Drainage last herein described, and directed to be made and executed by the said General Commissioners, shall be made by and at the Expence of the said Owners and Proprietors of taxable and free Lands in *Deeping Fen*, and the said several Owners and Proprietors of Messuages, Houses, or Toststeads, Lands and Hereditaments, interested in such of the said Commons including the said *Crowland Common*, as lie between the Banks of the Rivers *Welland* and *Glen*, in such Shares and Proportions as the respective inclosed Lands, and the same Commons bear in Quantity to each other; and that the Part or Share of such Charges and Expences as is herein directed to be borne and defrayed by the Owners and Proprietors of taxable and inclosed free Lands in *Deeping Fen*, together with the Value of the said One hundred and twenty Feet of Land in Breadth, next adjoining to the several Banks of the said Rivers *Welland* and *Glen*, and of the Herbage of the said Banks, to be ascertained as herein directed, shall be raised and paid by an equal Acre Rate or Tax upon all such inclosed, taxable, and inclosed free Lands so lying between the Banks of the said Two Rivers respectively chargeable therewith, and be recovered by the said General Commissioners, by entering upon the Lands and Grounds respectively charged therewith, and receiving the Rents and Profits of such Lands and Grounds, until the Share and Proportion of the said Charges and Expences payable in respect thereof, together with such Value as aforesaid, of the said One hundred and twenty Feet in Breadth against the said Banks and of the Herbage of the said Banks, and the Costs and Charges of such Entry, shall be fully paid and satisfied; or otherwise the said General Commissioners shall and may borrow the same on Mortgage, pursuant to the Power herein-after contained for that Purpose, and that the Part or Share of such Charges and Expences so directed to be borne and defrayed by the Owners and Proprietors of Messuages, Houses, or Toststeads, Lands, and Hereditaments, so interested in the said Commons, including the said *Crowland Common*, shall be paid and discharged by and out of the Monies to be raised by Sale of Lands herein authorized to be made for the Purposes herein expressed.

Bridges over Main Drains, &c. to be paid for at a joint Expence.

LXXXV. And be it further enacted, That the said General Commissioners shall cause a Post or Stone to be affixed as near as may be to

Posts or Stones to be affixed with Marks

denoting cer-
tain Regula-
tions.

the present Sluice at *Pode Hole*, and the same to be marked in a permanent Manner, at the Height of Seven Feet Eight Inches perpendicular, above the Level of the Floor of the said Sluice, and shall also cause One other Post or Stone to be affixed at the End of every Mile in Length, extending Westward from the said *Pode Hole* Sluice by the Side of the said several Main Drains herein directed to be made from the said Sluice, through the said Commons and through the said *North Drove* and *South Drove* respectively, until the same Main Drains join the Cross Drain herein provided for, and each of the said Posts or Stones shall be marked in a permanent Manner, so as to denote the before mentioned perpendicular Height; and another Mark shall be made in like Manner on each of the said Posts and Stones, so as to denote the exact Height of One Inch for each Mile in Extent Westwardly, above the original Mark at or near *Pode Hole* afore said; and it shall not be lawful for the Owners or Proprietors of taxable or free Lands situate within *Deeping* inclosed Fen afore said, or of Lands to be allotted by virtue of this Act, or of any other Act for draining, dividing, and inclosing the said Common called *Crowland Common*, or for any other Person or Persons whomsoever, to continue any Mill, Engine, or other Device already erected, or to erect or cause to be erected any Mill, Engine, or other Device, without constructing the Water Wheels with the Wallowers thereof, of such Dimensions and Height as in the Opinion of the said General Commissioners and Trustees respectively, will prevent the raising and discharging Water into any of the said Main Drains, above the Heights of the several and respective Marks of One Inch for every Mile so to be made, on such of the said several and respective Posts or Stones as shall be situate nearest thereto, and to the Eastward respectively of the several Mill Drains communicating or to communicate with the said several Main Drains; and in case any Mill, Engine, or other Device shall be continued or erected, so as to raise or discharge Water into any of the said Main Drains, above the perpendicular Height of One Inch in a Mile in Extent, so directed to be marked on the said Posts or Stones respectively, it shall be lawful for the said General Commissioners at any Time before the Execution of the Award herein directed, and after the Execution thereof, for the Trustees for the Time being, in whom the internal Works of Drainage in the said Commons are hereby vested, upon due Proof of the Fact, to the Satisfaction of such Commissioners and Trustees respectively, to order the same to be absolutely taken down and removed by any Person or Persons whomsoever; any Thing herein contained to the contrary thereof in anywise notwithstanding.

Power to
erect Engines
to throw to
a greater
Height if
necessary.

LXXXVI. Provided, and be it further enacted, That if the said general Works of Drainage shall be found insufficient or inadequate to drain the Lands and Grounds intended to be drained thereby, without the Aid of Engines or Mills to raise the Water to a greater Height than herein-before provided for, the said General Commissioners or Trustees for executing the said General Works of Drainage shall and may erect, build, and use such Engine or Engines at or near the Situation of the present Engines discharging the Waters from *Hills Drain* into the *Welland*, as in their Judgement shall be requisite or necessary for the Purpose of raising the Waters to such greater Height as may be expedient for better effecting such Drainage; and that all such Engines or Mills so to be erected as last afore said, shall be taken and considered as Part of the

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the said General Works of Drainage, and be paid for, and afterwards from Time to Time repaired, supported, and maintained at such joint Expence as afore said.

LXXXVII. And it is hereby enacted, That the several Main Drains, Engines, Bridges, and other Works of Drainage directed to be done at such joint Expence as afore said, except the Herbage of the Banks and Forelands of the said Main Drains, shall for ever after the making thereof be and remain vested in the Trustees for preserving such General Works of Drainage, but without Prejudice to the Right of the said Adventurers to the said *Hill's* Drains and the Mills thereon.

Main Drains,
Engines, &c.
vested in
Trustees.

LXXXVIII. And be it further enacted, That the Residue of the said *North* and *South Drovers*, after the Drains through the same, with the Banks and Forelands of such Drains, shall have been set out as herein directed, and also the said One hundred and twenty Feet of Land in Breadth against the North Bank of the River *Welland*, and the South Bank of the River *Glen*, for the Space the said Banks respectively adjoin the said Commons, together with the Herbage of the said Banks, shall be valued by the said General Commissioners in Conjunction with a like Number of Persons, not interested in the Premises, to be named by and on the Part of the said Adventurers and Owners of free Lands in *Deeping* inclosed Fen, in such and the like Manner as Trustees for preserving the General Works of Drainage are herein-after directed to be appointed; and in case the said Commissioners, and the Persons so to be appointed by the said Adventurers and Owners of free Lands, shall not agree in Opinion respecting the Value of the said Drovers and Lands, and Herbage of the said Banks, the same shall be valued by an Umpire to be named by the said General Commissioners, and the Persons so appointed by the said Adventurers and Owners of Free Lands, and the Money at which such Parts of the said Residue of the *North* and *South Drovers*, and of the said One hundred and twenty Feet in Breadth, and Herbage of the said Banks shall be so valued as afore said, shall, as soon as may be after the said Main Drains through the same Drovers are completed, be paid into the Hands of the said *Welland* Commissioners, and on Payment for such One hundred and twenty Feet of Land in Breadth next the said Rivers, and for the Herbage of the said Banks, the said Land and Herbage shall vest, and the same are hereby declared to be vested in the said Adventurers, their Heirs and Assigns, with Power to let or set the same, to be grazed only with Sheep, under such Penalty as by them shall from Time to Time be deemed expedient; and the said General Commissioners shall, and they are hereby required to convey such Frontage Land by Lease and Release to such several Owners and Proprietors, and the Lands so to be conveyed shall be held and enjoyed by such and the same Tenure, in such and the same Manner, and under, upon, and subject to such and the same Uses, Trusts, Charges, and Incumbrances, except the Tax called *The Adventurer's Tax*, as the inclosed Lands respectively belonging to such Owners and Proprietors abutting on the said Land so to be conveyed as afore said, are subject and liable to; and it shall be lawful for the said Owners and Proprietors who shall respectively pay the Amount of the Valuation of the Lands so to be conveyed as afore said, to charge and subject the same Lands, and also

Directions as
to the Sale
of the *North*
and *South*
Drovers, &c.

Power for
the
Commissioners
to
order
the
Sale
of
the
said
Drovers
&c.

[Loc. & Per.]

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so much of the inclosed Lands of such respective Owners and Proprietors abutting on the same respectively, not exceeding in Quantity the Land so fronting thereon as aforesaid, by Grant, Mortgage, Lease, or Demise, with such Sum or Sums of Money as the said Owners and Proprietors shall respectively pay as aforesaid, and it shall likewise be lawful for the said Adventurers and Owners of inclosed Free Lands, by Grant, Mortgage, Lease, or Demise, to charge and subject all the said inclosed Lands with and to the Payment of such Sum or Sums of Money as they shall respectively be required to pay as and for their respective Shares and Proportions of the Charges and Expences of such Works of Drainage as are herein directed to be made at such joint Expence as aforesaid, together with Interest for the same from the Time of the Payment thereof, which Sum or Sums of Money so to be charged as aforesaid, shall be payable within One Year next after the Decease of every such Mortgagor respectively, with the Interest thereof, to be computed from his, her, or their respective Decease, to such Person or Persons as such respective Mortgagor shall respectively, by any Deed or Will duly executed and attested, direct and appoint; and in Default of such Direction or Appointment, to his, her, or their Executors or Administrators respectively, and every such Grant, Mortgage, Lease, or Demise, and also every such Charge by Deed or Will, shall be good, valid, and effectual in the Law for the Purposes thereby intended, notwithstanding any Want of Title, Settlement, Will, Use, Trust, Remainder, Mortgage, or other Incumbrances, of or upon the said Lands and Hereditaments, Rights, and Estates, or any Part thereof, then in being or capable of taking Effect to the contrary; and in case any of the said Owners or Proprietors shall neglect or refuse to pay the Money at which such Part of the Lands called *The South Drove* and *North Drove* abutting on their said respective inclosed Lands, shall be so valued, within the Space of Six Calendar Months next after such Valuation (and Notice thereof in Writing under the Hands of the said General Commissioners given to such respective Owners or Proprietors, or their known Agents) or shall neglect or refuse to pay for their respective Shares and Proportions of the said several Works of Drainage required to be done and executed at such joint Expence as aforesaid, for the Space of Three Calendar Months after Payment thereof shall be required by the said General Commissioners, it shall be lawful for the said General Commissioners, at any Time or Times after such Neglect or Refusal, to charge such respective Lands, or any of them, or any Part or Parts thereof, and also the inclosed Lands abutting on the same respectively, not exceeding in Quantity such Frontage Lands, with the Amount of the Sum or Sums at which the said *North* and *South Drove*s, or any Part or Parts thereof, shall be so valued as aforesaid, and likewise to charge all the said inclosed Lands of each such Owner or Proprietor so neglecting or refusing to pay his or her Share and Proportion of such joint Expence as aforesaid, with their respective Shares and Proportions of the said Charges and Expences, with lawful Interest for the same respectively; and for the Purpose of raising such Sum or Sums of Money, and for the better securing the Payment thereof, with Interest, by Writing under their Hands and Seals to convey, in the Way of Mortgage, for Term of Years or otherwise, such respective Lands, or any Part or Parts thereof, to the Person or Persons who shall lend or advance

Power for General Commissioners to mortgage Lands if Purchase Money not paid.

vance such Sum or Sums of Money as aforesaid, or as he, she, or they, or his, her, or their Executors or Administrators, shall respectively appoint; and every such Conveyance by way of Mortgage for Term of Years or otherwise, as shall be made in pursuance of this Act, shall be good, valid, and effectual in the Law for the Purposes thereby intended; so as every such Conveyance by way of Mortgage or otherwise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered when such Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be fully paid and satisfied.

LXXXIX. And be it further enacted, That all and every Person and Persons to whom any Grant, Mortgage, Lease, or Demise shall be made by virtue of this Act, or who shall be entitled to the Money thereby secured may from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, and their Hand and Seal, or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, assign or transfer the same Security or Securities, and the Principal Monies and Interest thereby secured, and all Benefit and Advantage thereof, and all his, her, or their Right, Title, and Interest in and to the same, unto any Person or Persons whomsoever, who may again in like Manner assign the same, and so *toties quoties*; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, or their Executors and Administrators, and all Persons claiming under them, or any of them, shall and may use, take, and pursue all such lawful Methods, Courses, and Expedients at Law or in Equity, for recovering or obtaining the Possession of the Premises so to be mortgaged, demised, and assigned, in case of Non payment of the Principal Monies to be thereby secured, or any Part thereof, as is or are used, taken, or pursued in Cases of the like Nature.

Such Mortgagees may be assigned.

XC. And be it further enacted, That the said General Commissioners shall and they are hereby authorized and required well and sufficiently to enlarge, deepen, and scour out the said River *Glen*, straiten the Course thereof where necessary, and enlarge and strengthen the Banks of the said River, from the said Place called *The Reservoir* to a certain Place called *Kate's Bridge*, of such Dimensions and in such Manner as in the Judgement of the said General Commissioners shall be requisite and necessary for the Protection of the Lands lying on each Side thereof, and to admit the Passage of the Waters along the said River in Times of Flood with such Facility as the present Main Bridges across the said River, and the Sluice at the Outfall thereof, will admit of their being discharged through the same respectively; and shall also make or cause to be made so much of the Banks of the River *Welland* as adjoin to any Part of the Lands and Grounds in the several Parishes and Places of *Tallington*, *West Deeping*, *Market Deeping*, and *James Deeping*, or any of them, and also of any other Stream or Streams of Water running through the same Parishes or Places respectively, or through the Parish of *Thurlby*, of such sufficient Height and Strength as they shall think necessary to prevent any such Waters from breaking or overflowing the said Banks, or any of them, and for that Purpose to take Earth out of the Bed of the said River *Welland*, or other Streams, or from the Lands adjoining thereto respectively (making Satisfaction for the same) and to remove the said Banks, or any of them, as they in their Discretion shall think necessary; and that the Costs, Charges,

General Commissioners to enlarge and deepen the River *Glen* and *Welland*, &c.