

Charges, and Expences of executing all the said Works shall be paid and borne by the several Persons and Parties, Bodies Politick and Corporate, now respectively liable to the Repairs of such Banks, in Conjunction with the Owners and Proprietors interested in the Drainage of the said Commons lying between the said Rivers *Welland* and *Glen*, in such Shares and Proportions as to the said General Commissioners under all Circumstances shall seem just and equitable, and as they shall in and by their Award, or any Writing or Writings under their Hands, previous to the Execution thereof, order or appoint; and such respective Banks (except as herein-after mentioned) after the said General Commissioners have completed the same, shall be from Time to Time and at all Times thereafter repaired, supported, maintained, and upheld of such sufficient Height and Strength, by such Person or Persons, Bodies Politick and Corporate, and subject to such Regulations, Orders, Directions, and Determinations as the said General Commissioners shall in and by their said Award, or other Writing, order, direct, or appoint; and the Officer or Officers, or other Person or Persons, having the Direction of the Repairs of such Bank or Banks, shall from Time to Time and at all Times for ever have Power, and he and they is and are hereby empowered and required to make Rates upon the several Persons interested in the said *Crowland* and other Commons lying between the said Rivers, and other Persons and Parties, Bodies Politick and Corporate, now liable to the Support and Reparation of the said respective Banks, for the Repair and Preservation thereof, in such Proportions as the said General Commissioners shall in and by such Award or other Writing direct or appoint; and in case any Person or Persons Bodies Politick or Corporate, chargeable with any Rate or Rates made by the said General Commissioners, or by such Officer or Officers or other Person or Persons as aforesaid, shall neglect or refuse to pay his, her, or their Part or Parts thereof for the Space of Fourteen Days after Demand made thereof, the same shall and may be levied and recovered by such Officer or Officers, or other Person or Persons, by Distress and Sale of the Goods and Chattels, in any Place whatsoever, of the Person or Persons, Bodies Politick and Corporate, so rated or charged as aforesaid, by Warrant under the Hand and Seal of any Justice of the Peace acting for the County, Division, Parts, or Place where such Goods or Chattels may be found (which Warrant any One Justice as aforesaid is hereby duly authorized to grant) and the Overplus of the Money so levied, after such Rate or Rates, and the Charges and Expences of such Distress and Sale are paid and satisfied, shall be returned, upon Demand, to the Owner or Owners of such Goods or Chattels; and in case any Dispute shall arise in respect to the Proportion of the Repairs of the said respective Banks, or by whom, or in what Shares and Proportions the said Charges and Expences ought to be borne and defrayed, it shall be lawful for the said General Commissioners, and they are hereby authorized and required to examine Evidence upon Oath (which Oath any One of the said General Commissioners may administer) and on such Evidence, or by such Enquiry, Ways and Means, as to the said General Commissioners, shall be satisfactory, to determine every such Dispute, which Determination shall be final and conclusive to all Parties; and if any Person or Persons shall be lawfully convicted of having wilfully or maliciously broke, thrown down, damaged, plowed, or destroyed the said respective Banks, or any

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Part or Parts thereof, or of making or laying down any Tunnel, Inlet or Outlet in or through the same, such Person or Persons shall be adjudged guilty of Felony, and shall be subject to the like Pains and Penalties as in Cases of Felony, and the Court by or before whom such Person or Persons shall be tried and convicted, shall and may have Power and Authority, either to transport the Offender for the Term of Seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm, or to award such Sentence as the Law directs in Cases of Petit Larceny.

XCI. Provided always, That such Parts of the said Banks of the said River *Glen* as are now supported and maintained by the said *Black Sluice* Commissioners and the Trustees of the *Bourn Eau* Navigation respectively, from and after the said General Commissioners shall have enlarged and strengthened the same as herein-before is directed, shall be repaired, maintained, and supported by and at the Costs and Charges of the said *Black Sluice* Commissioners and the said Trustees of the *Bourn Eau* Navigation, in such Shares and Proportions as they are now severally liable by Law to support the same, and with, under, and subject to the same Powers and Authorities as if this Act had not been made.

Black Sluice Commissioners, and Trustees of *Bourn Eau* Navigation, to support their Proportions of *Glen* Banks.

XCII. Provided, and it is hereby enacted, That if at any Time after such Enlargement and Improvement of the said River *Glen*, as herein-before directed, the several Persons and Parties, Bodies Politick and Corporate, who now are or shall be liable to the Repairs of the North Bank of the said River, from the *Reservoir* to *Pinchbeck Bars* or *Dove Hurn*, shall at any Time neglect or refuse to support, maintain, and keep their respective Portions of the said Bank of such Dimensions as shall be directed in and by the Award of the said General Commissioners, or by any Writing previous to the said Award, or shall suffer the same at any Time to be of less Dimensions in any respect, either in Height, Width, or Strength, than the South Bank of the said River being opposite thereto, it shall be lawful for the said *Black Sluice* Commissioners, after Ten Days Notice in Writing to the Officer having the Care of, or to the Person or Persons, Bodies Politick or Corporate, liable to such Repairs, to amend, enlarge, or strengthen such Part or Parts of the said North Bank to the Dimensions expressed in such Award, or other Writing, or to the then Dimensions of the South Bank of the said River, at the Option of the said *Black Sluice* Commissioners, by and at the Costs and Charges of such Person or Persons, Bodies Politick or Corporate, liable as aforesaid, and to recover the Monies expended thereby, by such Ways and Means as the said General Commissioners are herein authorized to levy and recover the Charges and Expences of enlarging the said River *Glen* under the Authority of this Act.

Power for *Black Sluice* Commissioners to repair North Bank of River *Glen*, in case certain Persons neglect so to do.

XCIII. Provided always, That if in the enlarging, deepening, and scouring of the said River *Glen*, as herein-before is directed, it shall be found necessary to lower the Tunnel now lying under the same River, by which certain Lands belonging to Sir *Gilbert Heathcote* Baronet, called *Bourn South Fen* Pastures and *Thurlby Fen* Pastures are now drained,

Power to lower the Tunnel of Sir *Gilbert Heathcote* Baronet, lying under the River *Glen*.

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the said General Commissioners shall and they are hereby authorized and empowered to lower the same Tunnel so much as the intended Depth of the same River may require; provided that the said Sir *Gilbert Heathcote*, his Heirs or Assigns, shall not be at any Costs, Charges, or Expences in lowering the same Tunnel; and that when lowered it shall be and continue of the same Materials, and of the same Dimensions and Capacity for discharging the Waters running through the same, as the Tunnel in its present State now is.

Saving the
Right of Sir
Gilbert Heathcote
to the
Tunnel under
the *Glen*.

XCIV. Provided always, and it is hereby further enacted, That nothing herein contained shall extend, or be construed to extend, to authorize or empower the said General Commissioners or any other Commissioners or Persons acting under or by virtue of this Act, after the said Tunnel shall have been once lowered as aforesaid, again to take up, alter, or remove the same; and that nothing herein contained shall prejudice, impeach, or defeat the Right of the said Sir *Gilbert Heathcote*, his Heirs or Assigns, to drain and keep drained the said *Bourn South Fen* Pastures and *Thurlby Fen* Pastures, in the same Manner and by the same Methods, Ways, and Means, as the said Lands are now, or can or may be drained; any Thing herein contained to the contrary notwithstanding.

XCV. Provided, and it is hereby further enacted, That the said *Black Sluice* Commissioners shall not be rated or assessed in a greater Proportion towards the Costs, Charges, and Expences of executing the several Works relating to the Enlargement of the said River *Glen*, than the Extent of the Bank of the said River now maintained by the said *Black Sluice* Commissioners bears to the Whole Extent of both the Banks of the said River, from the said Reservoir to *Kates Bridge*, due Regard being had to the present State of the respective Portions of the said Banks.

If Adventur-
ers, etc. neg-
lect to appoint
Persons to
value, then
General Com-
missioners to
value.

XCVI. Provided always, That in case the said Adventurers and Owners of Free Lands in *Deeping* inclosed Fen shall neglect or refuse to appoint such Persons as aforesaid, to value the said Lands and Herbage on their Parts for the Space of Six Months after the passing of this Act, or if the Persons so appointed shall neglect or refuse to proceed in the said Valuation at such Time and Place as the said General Commissioners shall name, and of which they shall give at least One Month's Notice in Writing to the Treasurer to the said Adventurers, or shall leave such Notice at his Dwelling House or usual Place of Abode, it shall be lawful for the said General Commissioners to proceed to and make such Valuation; and either of the said Valuations, so made as aforesaid, shall be final and conclusive.

Directions as
to Monies and
Taxes payable
to *Welland*
Commission-
ers.

XCVII. And be it further enacted, That the Amount of the Valuation of the said One hundred and twenty Feet of Land in Breadth, and of the Herbage of the said Banks, and the Money to arise by Sale of such Residue of the said *South Drove* and *North Drove* respectively, shall, on Payment thereof, be applied by the said *Welland* Commissioners in Part Discharge of the respective annual Rates, Taxes, and Assessments, which shall accrue due under the said Act of the Thirty-fourth Year of the Reign of His Majesty, after Payment of such Arrears as aforesaid,

aforesaid, in respect of and in due Proportion to the Interest of the several Persons who shall, on such Adjudications, be eventually found to be interested in the said last-mentioned Lands and Grounds so to be sold as aforesaid; and all such further annual Rates, Taxes, and Assessments, to accrue due under the same Act, in respect as well of all or any of the Lands sold under the Authority of this Act, as of the several Allotments so to be set out on such Subdivisions as aforesaid, shall be and the same are hereby charged respectively as well on the Lands so sold as on such respective Allotments, and the same shall from thenceforth be recoverable when in Arrear and unpaid in like Manner as the Rates, Taxes, and Assessments, charged by virtue of the said Act of the Thirty-fourth Year of His present Majesty, on the said inclosed Lands in *Deeping Fen* are recoverable under the Authority of the said Act; and all such further annual Rates, Taxes, and Assessments, to accrue due under the same Act, in respect of the several parochial or general Allotments so left un-subdivided as aforesaid, shall be and the same are hereby charged on the said several parochial or general Allotments; and it shall be lawful for the said *Welland* Commissioners to recover the said last-mentioned Rates, Taxes, and Assessments, in such and the like Manner as the Rates, Taxes, and Assessments, over the Whole of the said Commons or uninclosed Fens were, by the said Act of the Thirty-fourth Year of His present Majesty's Reign, recoverable before the passing of this Act.

XCVIII. And be it further enacted and declared, That on the Completion of the several Works of Drainage hereby directed to be done by the said General Commissioners at such joint Expence as aforesaid, and from and immediately after the Election of Trustees for the Purpose of continuing and preserving the said Works, the several Powers and Authorities granted to the said General Commissioners under the Authority of this Act, or vested in the said Adventurers by virtue of all or any of the Acts relating to the Drainage of *Deeping Fen*, so far as relate to or concern such of the said Works of Drainage as are hereby required to be done and executed in or upon any of the Lands and Grounds intended to be divided and inclosed, and all other Powers and Authorities whatsoever enabling the said Adventurers to make and execute any Works of Drainage in, through, over, or upon the same Lands, except such Powers and Authorities as are preserved or given to them by this Act, shall cease and determine; any Thing herein contained to the contrary notwithstanding.

Power of
Commission-
ers to cease
upon the
Election of
Trustees.

XCIX. And, in order that such Banks, Drains, Engines, and other Works of Drainage, as are herein directed to be done and executed by and at such joint Expence as aforesaid, may be maintained, supported, and kept in Repair; be it further enacted, That at any Time after the Expiration of Three Years from the Execution of the said Award or Instrument, or at such earlier Time or Times as the said General Commissioners shall, by Writing under their Hands, to be fixed on the principal Door of the several Parish Churches and Chapels in the several Parishes, Townships, or Hamlets, interested in the said Drainage, declare the said Works of Drainage to be completed (and so at any Time after the Expiration of every Three succeeding Years, from the Time of every Election of Trustees as herein mentioned) it shall be lawful for any Two or more Proprietors of One hundred Acres each of the

Trustees to be
chosen for
supporting the
Works.

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work

Lands