

acres of Marsh in such Districts, exclusive of all fractional parts; and in case the number of votes claimed by any voter should be disputed at the time he offers to vote, by any other Proprietor, then before such votes are received and entered, the person claiming the right to vote, shall take the following oath:—“You do swear that you are the Proprietor of — acres of Marsh, situate in District Number — [or — acres in District Number —, and — acres in District Number —, as the case may be, where the person claims the right to vote for more than one District.] and that you are entitled to vote therefor at this Election of Commissioners of Sewers, and that you have not before voted at this Election;”—That no Proprietor of Marsh Land in one District, shall give any vote upon the same for a Commissioner or Commissioners to be elected for any other District; and provided always, that in District Number Six, that no Proprietor shall be entitled to vote for or upon any Marsh or Bog, not yielding the annual value of two shillings and six pence per acre, except such Marsh or Bog has, at the time of such Election, been assessed to the amount of two shillings and six pence per acre; and in case the number of votes claimed by any voter in District Number Six, should be disputed at the time he offers to vote, by any other Proprietor, then, before such votes are received and entered, the person claiming the right to vote, shall take the following oath:—“You do swear that you are the Proprietor of — acres of Marsh, [or Bog, as the case may be,] in District Number Six, that the same is of the annual value of two shillings and six pence per acre, [or has been assessed to the amount of two shillings and six pence per acre,] that you are entitled to vote therefor at this Election of Commissioners of Sewers, and that you have not before voted at this Election of Commissioners of Sewers;”—which oaths the presiding officer is hereby authorized and required to administer; and no other proof of qualification shall be required of such voter.

V. And be it enacted, That the persons so elected, certified and sworn as Commissioners of Sewers, shall be Commissioners of Sewers in and for the said several Districts, for and during the term of three years then next ensuing; and such Commissioners shall be authorized and empowered, during the term of office, to convene and meet together from time to time, as occasion may require, to consult, consider and devise means and methods for building, erecting or repairing such Aboideau, Dikes and Wears as are or may be necessary to prevent inundation, and for drawing or draining of Marshes, Swamps and other unreclaimed lands, either diked or undiked, and to employ labourers and workmen for such reasonable wages as may be agreed on for that purpose, and to take and assess all such persons from time to time, as shall or may be owners of such Marshes, Meadows or unreclaimed lands as aforesaid, for defraying the expenses thereof, having regard to the quantity and quality of land of each person, and benefits thereby to be received, as equally as they can, according to their best judgment, and shall appoint a Collector or Collectors for collecting such assessments, and paying the same to such persons as by the said Commissioners shall be appointed, with powers to distrain all such persons as shall neglect or refuse to make payment of his, her or their proportions assessed as aforesaid, in like manner as is usually done in other cases by distress; and such Collector, appointed as aforesaid, shall be entitled to levy for his services a sum, over and above such assessment, not exceeding seven and a half per cent. on the amount of such assessment; the said sum so to be allowed for collecting, to be first regulated by the Commissioners, having regard to the amount to be collected, and to call before them such Collector or Collectors, to account for his or their trusts, in regard to the premises; and the said Commissioners shall be authorized and empowered to make and repair the bye roads leading through or in the said Districts, and, in like manner as aforesaid, assess the Marshes for the expenses thereof, the said Commissioners first giving notice of such their intention, by advertising the same in three or more public places in the said Parish for ten days; provided always, that if the Proprietors of a majority of acres in the District where such road or roads so to be made or repaired shall lie, by order in writing to the Commissioner or Commissioners, elected for such District, desire the said Commissioners not to proceed with such making or repairing so advertised, the said Commissioners shall not proceed in the same for the period of one year, and not then, unless by again advertising such proposed repairing or making; and the said Commissioners shall be authorized and empowered, in their discretion, upon the application of the Proprietors of a majority of acres in any District, to make regulations from time to time, respecting the fencing and grazing of the said District, as fully and effectually to all intents and purposes as the Justices of the Peace for the said County, at their General Sessions, are authorized and empowered to do under and by virtue of an Act passed in the sixth year of his late Majesty William the Fourth, entitled “An Act to regulate the fencing, occupation and grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland;” which regulations, signed by the said Commissioners, and filed with the Clerk of the Peace of the said County, shall revoke and supersede any regulation or regulations made by the said Justices, so far as the same relate to the District or Districts to which the regulations so made by the said Commissioners apply; and the said Commissioners shall be authorized and empowered to recommend one or more field drivers to the General Sessions of the Peace for the said County, to enforce the said regulations; which persons so recommended, the Justices, at the time of appointing the Parish Officers for the said County, shall appoint for the ensuing year; and the said

Commissioner or Commissioners of each District is and are required to keep separate and distinct accounts of all labour performed in their several Districts, during the period for which they are appointed; and during the last half year of their term of office, the said Commissioners shall arrange, collect, settle up, and satisfactorily arrange, as far as possible, all the accounts arising or accruing during their term of office, and on the expiration thereof, to deliver the same up, together with all vouchers and documents whatsoever, to their successors in office; that the said Commissioners shall receive out of assessments made by them, a reasonable compensation for their services, not to exceed seven shillings and six pence per day for each and every Commissioner.

VI. And be it enacted, That in case of the refusal to act, removal or death of any person elected as Commissioner of Sewers under and by virtue of this Act, the Proprietors of the District by which such Commissioner may have been elected, may make application to the Town Clerk of said Parish to call a public meeting of the Proprietors of such District for the election of a Commissioner for such District; which meeting the said Town Clerk is hereby required to advertise in three or more public places in said Parish; and such election shall be conducted in the same manner as is provided in the second and third sections of this Act for the election of Commissioners of Sewers at the General Election thereof; provided always, that such Commissioner or Commissioners so elected shall not hold such office for a longer period than until the General Election of Commissioners of Sewers next ensuing such election.

VII. And be it enacted, That if the Proprietors of any body of Marsh Land in said Parish, containing not less than two hundred acres, should desire the superintendence of Commissioners of Sewers to take care of the same, they may make application in writing, signed by the Proprietors of a majority of acres in said body, requiring the Town Clerk of said Parish to call a public meeting of the Proprietors of such body of Marsh Land, for the purpose of electing a Commissioner of Sewers by such body of Marsh; that thereupon the said Town Clerk shall give ten days notice of the said meeting, to be held in the said Parish, by advertising the same in six or more public places in the said Parish; and that at the time and place so advertised for the election of a Commissioner of Sewer by the said proprietors, the election of such Commissioner of Sewers shall be proceeded with, which election shall be conducted in like manner as is provided for in the second and third Sections of the Act for the Election of Commissioners of Sewers for the district therein named; which Commissioner of Sewers, so elected, shall be declared a Commissioner of Sewers for the several districts herein named, and such further bodies of Marsh as may avail themselves of the provisions of this Act, with all the duties, authorities and privileges imposed and conferred by this Act upon the said other Commissioners of Sewers for said districts; provided always, that such Commissioner of Sewers so elected, shall not continue in office for a longer period than until the General Election of Commissioners of Sewers for said Districts next ensuing such election, at which time the election for a new Commissioner of Sewers by such district shall proceed, as is provided by the said second and third Sections of this Act for the several districts therein named; and provided always, that if the proprietors of a majority of the number of acres in such body of Marsh do not vote at such election so called by the Town Clerk, in such case the said election shall be deemed wholly null and void.

VIII. And be it enacted, That the Commissioners of Sewers, elected under this Act, shall determine the boundaries of the several districts named in this Act, and that in case the proprietors of the majority of acres of any body of Marsh in said Parish, shall be desirous of being annexed to any district or body of Marsh having elected a Commissioner of Sewers by virtue of this Act, the said Commissioners of Sewers are hereby empowered and authorized, upon the consent of the proprietors of a majority of acres in both bodies of Marsh, as well of that body desiring to be annexed, as of the body or district to which it is to be annexed, to declare such body of Marsh annexed to such district or body, and subject to the jurisdiction and control of the Commissioners of Sewers, to all intents and purposes the same as if it had originally been part of such district; and in case any body of Marsh in said Parish shall be desirous of being discharged from the power and control of the said Commissioners of Sewers, the said Commissioners, upon the like consent being had, shall and may declare such district or body of Marsh withdrawn from the jurisdiction and control of the Commissioners of Sewers, from which time the said Commissioners shall cease to have any control over such body of Marsh; provided, that any rate made before the time of such order may still be enforced and levied in all respects the same as if such body of Marsh had not been withdrawn.

IX. And be it enacted, That every person allowed by law to make an affirmation instead of taking an oath, shall be allowed to affirm in every case where by the provisions of this Act an oath is required to be taken; and if any person taking an oath or making affirmation as required by this Act, shall wilfully swear or affirm falsely, such person shall be deemed guilty of wilful and corrupt perjury, and shall be liable to all the pains and penalties by law provided for that offence.

X. And be it enacted, That a copy of a Certificate of Return of Commissioners of Sewers, filed in the Office of the Clerk of the Peace, certified under the hand and seal of Office of such Clerk, shall be prima facie evidence of the regularity and legality of all