Anno vicesimo nono

Georgii II. Regis.

An Act for establishing a Fund for Payment of the Bonds of the Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*; and for exchanging the present Bonds of the said Corporation for other Bonds, payable out of the Revenues of the Middle and South Levels, Part of the said Great Level; and for enabling the said Corporation to borrow further Sums, for the Use of the said Great Level.



WHEREAS by an Act of Parliament made in the Fifteenth Year of the Reign of King Charles the Second, intituled, An Act for settling the Draining of the Great Level of the Fens, called *Bedford Level*, taking Notice that Francis Earl of Bedford, according to a Law of Sewers, made at King's Lynn in the Sixth Year of the Reign of King Charles the First, had undertaken the Draining of the said Great Level, situate within the Counties of Northampton, Norfolk, Suffolk, Lincoln, Cambridge, and Huntington, and the Isle of Ely, and bounded as in the said Act is particularly mentioned and described; and that he, the said Earl, was to have for his Recompence Ninety five thousand Acres of the Grounds within the said Level, with convenient Highways and Passages to the same; and that William Earl of Bedford, Son and Heir of the said Earl Francis, with divers

Preamble, reciting Clauses in Act 15 *Car.* II. for draining *Bedford Level*;

divers of his Adventurers and Participants, had proceeded in the completing and finishing of the said Works; but that the same could not be preserved without constant Care, great Charge, and orderly Government; it was therefore, amongst other Things, enacted, That the said William Earl of Bedford, and the Adventurers and Participants of the said Earl Francis and Earl William, or either of them, their Heirs and Assigns, in such Manner as in the said Act is contained, should be a Body Politick and Corporate, in Deed and Name, and have Succession for ever, by the Name of The Governor, Bailiffs, and Commonalty, of the Company of Conservators of the Great Level of the Fens; with Power to lay Taxes upon the said Ninety five thousand Acres only (Twelve thousand Acres whereof had been designed and intended for His late Majesty King Charles the First, and had been set forth and allotted by Bounds in Severalty) for the Support, Maintenance, and Preservation of the said Great Level, and to levy the same with Penalties for Non-payment, and to do all other Things in order to the Support, Maintenance, and Preservation, of the said Great Level and Works made, and to be made, in such Manner as in the said Act is mentioned: And whereas by another Act made in the Twentieth Year of the Reign of
20 *Car.* II. King Charles the Second, intituled, An Act for the taxing and assessing of the Lands of the Adventurers within the Great Level of the Fens, it was enacted, That Eighty three thousand Acres, Parcel of the said Ninety five thousand Acres, should, from time to time, be taxed and assessed by a gradual Acre Tax, of different Sorts and Values of Lands; and that the said Twelve thousand Acres, Residue of the said Ninety five thousand Acres, should be rated at a Medium of the whole Tax, to be from time to time assessed upon the said Ninety five thousand Acres: And, to the end that the said Eighty three thousand Acres might be more equally taxed by a gradual Tax, certain Persons in the same Act named, were appointed Surveyors and Valuers of the said Eighty three thousand Acres; and were within the Time limited by the said Act, to digest the said Eighty three thousand Acres into a Number of Sorts and Degrees, not under the Number of Seven Sorts and Degrees, and to rate and tax such Degrees, and digest the same into Schedules in Writing, and make Returns thereof, upon their Oaths, into the Fen Office, in such Manner as by the said Act is prescribed: And whereas by Valuations made by the several Persons appointed by the said Act of the Twentieth of King Charles

the Second, and duly returned into the Office of the ſaid Corporation in London, the ſaid Eighty three thouſand Acres were ſet out and digeſted into Eleven different Sorts and Degrees of Land, and the ſeveral Sums to be rated and aſſeſſed upon each of the ſaid Sorts and Degrees, as their reſpective Proportions of the Taxes to be paid to the ſaid Corporation, were by the ſaid Valuations ſettled and limited; and the ſaid Eighty three thouſand Acres have always ſince been taxed by a gradual Acre Tax, according to the Degrees and Proportions ſo ſet out and allotted, and the ſaid Twelve thouſand Acres at a Medium of ſuch Tax; a ſingle Tax upon the ſaid Eighty three thouſand Acres, together with the Produce of a proportionable Tax upon the ſaid Twelve thouſand Acres, amounting to the Sum of Five thouſand and fifty one Pounds, Seven Shillings, and Two Pence: And whereas by another Act made in the Twenty ſeventh Year of the Reign of His preſent Majeſty, intituled, An Act for diſcharging the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, from a Debt due to the Duke of *Bedford* and Earl of *Lincoln*; and for enabling the Proprietors of Lands in the North Level, Part of the ſaid Great Level, to raiſe Money, to diſcharge the Proportion of the ſaid North Level in the Debts of the ſaid Corporation; and for aſcertaining and appropriating the Taxes to be laid on the ſaid North Level; and for the more effectual draining and preſerving the ſaid North Level, and divers Lands adjoining thereto, in the Manor of *Crowland*; taking Notice (amongſt other Things) that at a Court of the ſaid Corporation, held the Tenth Day of March, One thouſand ſix hundred and ninety ſeven, the ſaid Corporation declared, that the ſaid Great Level ſhould be diſtinguiſhed by the ſeveral Names of the North Level, Middle Level, and South Level; and alſo taking Notice that the ſaid Corporation, in order to ſupport and preſerve the ſeveral Works for draining the ſaid Great Level, had been obliged to borrow Money, and contract Debts, amounting in the whole to the Sum of Forty nine thouſand one hundred and fifty three Pounds, Eleven Shillings, and Nine Pence; it was, amongſt other Things, enacted, That the ſaid Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the ſaid Great Level of the Fens, and their Succeſſors, and all and every the Lands, Taxes, Rents, and Revenues, of the ſaid Corporation, ſhould be abſolutely diſcharged from the Sum of Eighteen thouſand nine hundred and thirteen Pounds, Eleven Shillings, and Nine

and 27 *Geo.* II.

Pence (Part of the said Debt of Forty nine thousand one hundred and fifty three Pounds, Eleven Shillings, and Nine Pence) due and owing to the most Noble John Duke of Bedford, and the Right Honourable Henry Earl of Lincoln, who are the Owners of the greatest Part of the Lands lying within the said North Level; and that the Sum of One thousand eight hundred Pounds, to be raised from the tarable Lands, lying within the said North Level, in the Manner by the said Act directed, should, when raised, be applied in Discharge of the Proportion of the said North Level of and in the Residue of the said Debt of Forty nine thousand one hundred fifty three Pounds, Eleven Shillings, and Nine Pence: And it was by the said last-mentioned Act also further enacted and declared, That the Tares chargeable by virtue of the said Acts, of the Fifteenth and Twentieth Years of King Charles the Second, upon the tarable Lands within the said North Level, should be always thereafter fixed and settled upon so much thereof as shall be Part of the said Eighty three thousand Acres, at a Tar and a Quarter, and on so much thereof as shall be Part of the said Twelve thousand Acres, in Proportion thereto, according to the said Act of the Twentieth of King Charles the Second, and should not be lessened or increased, under any Pretence whatsoever; and that all the Money which should arise or be produced by the said Tares, within the said North Level, and all other the Rents and Revenues arising and payable to the said Corporation, by, from, or out of, the said North Level, or any Part thereof, should from thenceforth be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and about the several Banks and Works of the said North Level, in the said Act particularly mentioned, and to and for no other Purpose whatsoever; and that the said North Level, and all and singular the Lands, Tenements, Rents, Tares, and Revenues thereof, should be freed, eronerated, and discharged, of and from the Residue of the said Debt of Forty nine thousand one hundred and fifty three Pounds, Eleven Shillings, and Nine Pence, and all Interest, payable for and in respect thereof; and that the said North Level, or the Lands, Tenements, Rents, Revenues, and Tares thereof, or of any Part thereof, should not be subject or liable to the Payment of any Debt, or Sum or Sums of Money, which should at any Time thereafter be contracted, taken up, or borrowed, by the said Corporation, for or on Account of the said Middle or South Levels, or either of them; and also that the said Mid-

dle and South Levels, or either of them, or the Lands, Tenements, Rents, Revenues, and Taxes of them, or either of them, ſhould not be ſubject or liable to the Payment of any Debt, or Sum or Sums of Money whatſoever, which ſhould at any Time thereafter be contracted, taken up, or borrowed, by the ſaid Corporation, on Account of the ſaid North Level: And whereas the ſaid Sum of One thouſand eight hundred Pounds, has been raiſed and applied in purſuance of the ſaid Act of the Twenty ſeventh Year of His preſent Majeſty's Reign; and the ſaid Corporation have alſo ſince the making of the ſaid laſt-mentioned Act, paid off the Sum of One thouſand Pounds, in further Part of the ſaid Debt of Forty nine thouſand one hundred and fifty three Pounds, Eleven Shillings, and Nine Pence, over and beſides the ſaid Sum of One thouſand eight hundred Pounds, raiſed and applied as aforeſaid; whereby the Debt of the ſaid Corporation is reduced to the Sum of Twenty ſeven thouſand four hundred and forty Pounds: And whereas the ſaid Debt of Twenty ſeven thouſand four hundred and forty Pounds is ſecured by Bonds, under the Seal of the ſaid Corporation, who have thereby bound and obliged themſelves to pay the ſeveral Sums mentioned in the ſaid reſpective Bonds; and inaſmuch as the ſaid Sum of Twenty ſeven thouſand four hundred and forty Pounds is, by the ſaid Act of the Twenty ſeventh Year of His preſent Majeſty, become a Charge upon the ſaid Middle and South Levels only, it is become neceſſary to exchange the Bonds for ſecuring the ſaid Debt, and to mention in the new Bonds, to be given for that Purpoſe, that the Money ſo to be ſecured, is due from the ſaid Middle and South Levels only: And whereas Doubts have ariſen amongſt the Creditors of the ſaid Corporation, concerning the Securities they now have for their reſpective Debts, by reaſon that the ſaid Corporation have it in their Power, under the before-mentioned Acts of the Fifteenth and Twentieth of King Charles the Second, either to tax ſuch Parts of the ſaid Ninety five thouſand Acres, as lie within the ſaid Middle and South Levels, with very ſmall Taxes, or not to tax the ſame at all, whereby the Fund for the Payment of the Debts, due to the ſaid Creditors, may become deficient: And whereas the ſaid Corporation may have Occaſion to borrow further Sums of Money, for the Support and Preſervation of the ſaid Great Level; and it will be neceſſary to diſtinguiſh in all future Bonds, to be entered into by the ſaid Corporation, whether the Money borrowed upon ſuch Bonds, be for, or on Account of, the ſaid Middle and South Levels,

or

or for or on Account of the said North Level: To the end therefore that a sufficient Fund may be at all Times hereafter raised and secured, for Payment of the Bonds of the said Corporation; and that the Bonds given by the said Corporation for the said Sum of Twenty seven thousand four hundred and forty Pounds, may be exchanged as aforesaid; and that the said Corporation may be enabled to borrow such further Sums, as shall be necessary for the Support and Preservation of the said Great Level; and that distinct Bonds may be given for the Money which shall be so borrowed upon Account of the said Middle and South Levels, and upon Account of the said North Level; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during such Time as any Debt or Sum of Money shall be due and owing from, or upon Account of, the said Middle and South Levels, all such Parts of the said Eighty three thousand Acres, as lie within the said Levels, or either of them, shall yearly and every Year be, and the same are hereby rated, taxed, charged, and assessed, by and with a single gradual Acre Tax; and such Parts of the said Twelve thousand Acres as lie within the said Middle or South Levels, with a Medium of such single gradual Acre Tax, according to the said Act of the Twentieth of King Charles the Second, and the Valuations made in pursuance thereof.

A single Tax to be laid upon the Middle and South Levels, during the Continuance of any Debt thereon.

Provided always, That it shall be lawful for the Governor, Bailiffs, and Conservators, of the said Corporation, from time to time, to rate, tax, charge, or assess, all such Parts of the said Eighty three thousand Acres, and Twelve thousand Acres, as lie within the said Middle or South Levels, with any farther Tax, which they, the said Governor, Bailiffs, and Conservators, shall judge necessary, in the same Manner as they might have done before the making of this Act.

Corporation impowered to lay a farther Tax, if necessary.

And be it further enacted, That in lieu of the Bonds heretofore given by the said Corporation, for securing the Payment of the said Debt of Twenty seven thousand four hundred and forty Pounds, the said Governor, Bailiffs, and Conservators, or any Five or more of them, whereof the said Governor or Bailiffs, or any of them, to be Two, shall give other Bonds under the Common Seal of the said Corporation, for the respective Sums due to the Person or Persons possessed of such Bonds, mentioning in the Bonds so to be given, that the Money secured thereby, is due and owing upon Account of the said Middle and South

New Bonds to be given in lieu of the Bonds for the present Debt.

South Levels; and all and singular the Rents, Tares, and Revenues, of the said Middle and South Levels, shall be, and they are hereby declared to be, a Security for, and shall be charged and chargeable with, the Payment of the Sums mentioned in such Bonds, and all Interest due, and to become due thereupon.

Corporation impowered to borrow for the Use of the North Level, not exceeding 5000 *l.*

And, to the end that the said Corporation may be at all Times enabled to raise such Sums of Money as shall be necessary for the Support and Preservation of the said Great Level, and for defraying the other necessary Expences attending the same; be it further enacted, That it shall be lawful for the said Governor, Bailiffs, and Conservators, or any Seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be Two, with the Consent of the Duke of Bedford, his Heirs or Assigns, Lord or Lords, Lady or Ladies, of the Manor of Thorney, and of the Earl of Lincoln, his Heirs or Assigns, Owner or Owners of High and Low Borough Fen, from time to time to borrow upon Bonds, under the Common Seal of the said Corporation, such Sum or Sums of Money, as they the said Governor, Bailiffs, and Conservators, or any Seven or more of them, as aforesaid, shall judge necessary, for the Use of the said North Level, not exceeding in the Whole the Sum of Five thousand Pounds; declaring in such Bonds, that the Money secured thereby, is due and owing upon Account of the said North Level; and also any Sum or Sums of Money, which they the said Governor, Bailiffs, and Conservators, or any Seven or more of them, as aforesaid, shall judge necessary, for the Use of the said Middle and South Levels, or either of them, so as by the borrowing of such Sum or Sums, the Debt of the said Corporation upon Account of the said Middle and South Levels, be not at any Time made to exceed in the Whole, the Sum of Thirty two thousand Pounds; declaring in the Bonds to be given for such Sum or Sums, that the Money secured thereby is due and owing upon Account of the said Middle and South Levels: And the respective Rents, Tares, and Revenues of the said North Level, and of the said Middle and South Levels, shall be, and they are hereby made a Security for Repayment of the Sums so respectively to be borrowed, with legal or less Interest for the same, as shall be agreed upon between the said Corporation, and the Person or Persons lending such Money; but no Money to be borrowed upon Account of the said North Level, shall be charged or chargeable upon any of the Rents, Tares, or Revenues of the said Middle and South Levels, or either of them; nor shall any Money

and any Sum for the Middle and South Levels, so as the whole Debt do not exceed 32,000 *l.*

Money borrowed for the North Level, not to be chargeable on the Middle and South Levels; and *vice versa*.

to be borrowed on Account of the said Middle and South Levels, be charged or chargeable upon any of the Rents, Tares, or Revenues, of the said North Level, or any Part thereof.

Bonds to be numbered; and none to be given for more than 100 *l.*

Provided always, and be it enacted, That all Bonds to be hereafter given by the said Corporation, shall be numbered, beginning with Number One, and so proceeding in arithmetical Progression; and that no Bond shall be given for any greater or less Sum than One hundred Pounds.

To be transferrable without Stamps.

And be it further enacted, That all Bonds to be given by the said Corporation, shall be transferrable or assignable by Indorsement upon the original Bond, without Stamps, to any Person or Persons whomsoever; and such Transfer or Assignment, being produced to the Register of the said Corporation, and by him entered in a Book, to be kept for that Purpose (which Entry the said Register is hereby required to make upon Request, the Person producing such Transfer or Assignment, paying the Sum of Two Shillings and Six Pence for every such Entry) shall intitle the Person or Persons to whom such Transfer or Assignment shall be made, his, her, or their Executors, Administrators, or Assigns, to the Money secured by such Bond, and all Interest due or to grow due thereupon: And such Assignee or Assignees may, in like Manner, by Indorsement without Stamp, assign and transfer such Bond or Bonds so assigned as aforesaid; and so toties quoties, as Occasion shall require; every such Assignment being entered in such Book as aforesaid.

Assignments to be entered by the Register of the Corporation.

Money, raised by the Corporation upon the taxable Lands in the respective Levels, how to be applied.

And be it further enacted, That all and singular the Rents, Tares, and Sums of Money to be received, raised, or levied by the said Corporation, from, upon, or upon Account of such Part of the said Ninety five thousand Acres, as lie within the said North Level, shall be charged and chargeable, in the First Place, with the Payment of such Sums of Money, as shall at any Time hereafter be borrowed by the said Corporation upon Account of the said North Level, and the Interest of such Sums; any thing in the said Act of the Twenty seventh Year of His present Majesty's Reign to the contrary thereof in any wise notwithstanding: And that all and singular the Rents, Tares, and Sums of Money, to be received, raised, or levied, by the said Corporation, from, upon, or upon Account of such Part of the said Ninety five thousand Acres as lie within the said Middle and South Levels, or either of them, shall be charged and chargeable, in the First Place, with the Payment of the aforesaid Debt of Twenty seven thousand four hundred and forty Pounds, and of

such

such other Sums of Money as shall be borrowed upon Account of the said Middle and South Levels, and of the Interest of such Debt, and Sums of Money: And the Receiver of the said Corporation is hereby impowered and required, out of the First Money which shall, from time to time, come to his Hands, arising from the Rents, Taxes, and Revenues of the said North Level, to pay the Interest of such Bonds as shall be entered into upon Account of the said North Level, and also the Principal Money due upon such Bonds, upon Six Months Notice left for that Purpose at the Office of the said Corporation in London, by the Person or Persons possessed of such Bonds; and the said Receiver is also hereby impowered and required, out of the First Money which shall, from time to time, come to his Hands, arising from the Rents, Taxes, and Revenues, of the said Middle and South Levels, to pay the Interest of such Bonds as shall be entered into upon Account of the said Middle and South Levels, and also the Principal Money due upon such Bonds, upon like Notice left at the Office of the said Corporation.

Bonds to be paid off, upon Six Months Notice given at the Fen-office:

Provided always, and it is hereby enacted and declared, That in case any of the Bonds to be given by the said Corporation, upon Account of the said North Level, or upon Account of the said Middle and South Levels, shall not be paid by the said Receiver, pursuant to such Notice left or given as aforesaid, then the Rents, Taxes, and Revenues of the said North Level, and of the said Middle and South Levels, shall respectively vest in the Person or Persons possessed of such Bonds, until the same, together with all Interest due thereupon, shall be fully satisfied and paid: And such Person or Persons, their Executors, Administrators, or Assigns, shall have the same Power, Rights, and Privileges, of recovering the said Rents, Taxes, and Revenues, of the said North Level, and of the said Middle and South Levels respectively, as the said Corporation would have had, in case such Bonds had been regularly and fully satisfied and paid.

If not paid, Revenues of the Corporation to vest in the Possessors of the Bonds, till Payment.

And be it further enacted, That a distinct Account shall, from time to time, be kept of the Rents, Taxes, Revenues, and Sums of Money, arising and payable to the said Corporation within the said North Level, and of all Monies which shall be applied and disposed of for the Use or upon Account of the said North Level, or any Part thereof; and that a like Account shall, from time to time, be kept of the Rents, Taxes, Revenues, and Sums of Money, arising and payable to the said Corporation within the said Middle and South Levels, and of all

Distinct Accounts to be kept of the Revenues of the respective Levels.

Monies which shall be applied and disposed of for the Use or upon Account of the said Middle and South Levels, or either of them.

Publick Act. And be it further enacted and declared, That this Act shall be deemed and allowed, in all Courts within this Kingdom, to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons, without specially pleading the same.

FINIS.
