ANNO UNDECIMO

Georgii III. Regis.

An Act to enable the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the *Great Level* of the *Fens*, called *Bedford Level*, to complete and maintain the principal Banks and Works neceſſary to the well-draining and preſerving the *North Level*, Part of the ſaid *Great Level*, and for laying Taxes upon the Lands within the ſaid *North Level*, and on divers Lands adjoining thereto, in the Manor of *Crowland*.

Preamble reciting Act 15 *Car.* II.

WHEREAS by an Act made in the Fifteenth Year of the Reign of King Charles the Second, (intituled, An Act for draining the *Great Level* of the *Fens*, called *Bedford Level*,) it was, amongſt other Things, enacted, That William Earl of Bedford, and the Adventurers and Participants of Francis Earl of Bedford and the ſaid 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 in 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 Ninety-five thouſand Acres of Land, allotted as a Recompence for draining the ſaid Great Level,

(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, Maintainance, and Preſervation of the ſaid Great Level, and Works made, and to be made, in ſuch Manner as in the ſaid Act is mentioned:

20 *Car.* II. And whereas, by an Act made in the Twentieth Year of King Charles the Second, (intituled, An Act for 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 tared and aſſeſſed, by a gradual Acre-tax, of different Sorts and Values of Land; 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 rated by a gradual Acre-tax, certain Perſons in the ſaid Act named were appointed Surveyors and Valuers of the ſaid Eighty-three thouſand Acres, and were within the Time limitted 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

And 27 *Geo.* II. Act is preſcribed: And whereas, by another Act made in the Twenty-ſeventh Year of the Reign of King George the Second, (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*;) reciting, amongſt other Things, that the Valuations of the ſaid Surveyors were returned by them into the Fen-office, as by the ſaid Act of the Twentieth of King Charles the Second was directed; and that the ſaid Eighty-three thouſand Acres had always ſince been tared according to the Degrees and Proportions thereby ſet out and allotted,

allotted; it was (amongſt other Things) enacted, That in order to raiſe Money ſufficient to diſcharge the Sum of One thouſand eight hundred Pounds, aſcertained and declared to be the Proportion of the ſaid North Level, of and in the Debts of the ſaid Corporation, contracted before the Year One thouſand ſeven hundred and twenty-eight, that it ſhould and might be lawful to and for the Proprietors of taxable Lands within the ſaid North Level, to purchaſe off ſo much of the Taxes charged on their reſpective Lands, by virtue of or under the ſaid recited Acts of Parliament of the Fifteenth and Twentieth Years of the Reign of his ſaid late Majeſty King Charles the Second, at and after the Rate of Thirty Years Purchaſe, computing and ſettling the ſaid Taxes on the ſaid Eighty-three thouſand Acres at a Tax and a Quarter, and on the ſaid Twelve thouſand Acres in proportion thereto, according to the ſaid Act of the Twentieth of King Charles the Second, as ſhould be ſufficient to raiſe the ſaid Sum of One thouſand eight hundred Pounds: And it was thereby further enacted, That the Taxes chargeable, by virtue of and under the ſaid Acts of the Fifteenth and Twentieth of King Charles the Second, or either of them, upon the Reſidue of the taxable Lands within the ſaid North Level, ſhould be always then after, and were thereby fixed and ſettled upon ſo much thereof as ſhould be Part of the ſaid Eighty-three thouſand Acres at a Tax and a Quarter, and on ſo much thereof as ſhould 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 Taxes 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 of the ſaid Level, therein and herein-after mentioned; (that is to ſay) In the firſt Place, to raiſe, make good, and keep in Repair the North Bank of Moreton's Leame, the Eaſt Bank of Cordyke from Moreton's Leame to the Folly Bank, the Folly Bank from Cordyke to the River Welland, the Bank reaching from the Folly Bank to Peakirk Town, and the South Bank of the River Welland, to the Weſt Dam at the Weſt End of Crowland Town, until the ſaid Banks ſhould be made of ſuch a Height and Strength

as the Governor, Bailiffs, and Commonalty, or their Succeſſors, ſhould judge ſufficient to defend the ſaid North Level and South Holland from and againſt the Land Floods; and from and after the Banks aforeſaid ſhould be put into ſuch a State of Security as aforeſaid, then the ſaid Taxes, Rents, and Revenues ſhould be applied for and towards repairing and ſtrengthening the Banks of Shiredrain, ſcouring out the Outfall, and repairing Gunthorpe Sluice, and alſo for and towards repairing and ſtrengthening the South Bank of the River Old South Eau from Weſt Dam aforeſaid to Clow's Croſs, and alſo the Weſt Bank of the ſaid River Old South Eau from Clow's Croſs to Guyhirn and the Banks of the Counter Drain from Guyhirn to the Eaſt End of the Severals in Stand Ground; and that the ſaid Taxes, Rents, and Revenues ſhould not be applied or diſpoſed of, to, or for any other Purpoſe or Purpoſes whatſoever: And it was thereby further enacted, That the ſaid North Level, and all and ſingular the Lands, Tenements, Rents, Taxes, and Revenues thereof ſhould be, and the ſame were thereby fully and abſolutely freed, exonerated, and diſcharged of and from the Payment of all other Debts and Sums of Money whatſoever then due and owing by or from the ſaid Corporation: And whereas it was by the ſaid Act of the Twenty-ſeventh of King George the Second further enacted, That the Lands and Grounds in the ſaid North Level, and the Lands called Portſand, otherwiſe Great Porſand, lying within the Manor of Crowland in South Holland, in the County of Lincoln, containing together about Forty-eight thouſand Acres, intended to be drained, under the Power and Authority of the ſaid Act, ſhould be divided into Five Diſtricts or Diviſions, in Manner therein mentioned, and Commiſſioners were thereby nominated and appointed for the ſaid ſeveral Diſtricts; and the ſaid Commiſſioners thereby nominated and appointed were directed to meet on the Firſt Monday in the Month of July in every Year, and were thereby impowered to aſſeſs and charge the Owners and Occupiers of the Lands and Grounds within the ſeveral Diſtricts, (except as therein is excepted) with equal and proportionable yearly Rates and Taxes, ſo that the ſaid Rates and Taxes for the Firſt Four Years ſhould be after the yearly Rate of One Shilling for every Acre of the ſaid Lands and Grounds, and ſo that after the Expiration of the ſaid Term of Four Years, the ſaid Rates and Taxes ſhould not exceed in any One Year Sixpence for every Acre of the ſaid Lands and Grounds; and it was thereby further enacted, That the Taxes and Sums of Money ſo to be aſſeſſed and rated,

rated, and all Money to be borrowed on the Credit thereof, should be applied by the Commissioners for putting that Act into Execution, for and towards the Works of draining and preserving all the said Districts or Divisions in the said Act particularly mentioned, being different Works from those to which the Taxes arising from the said North Level, under the said Acts of the Fifteenth and Twentieth of King Charles the Second, and the Rents and Revenues of the said North Level were directed to be applied by the said Act of the Twenty-seventh of King George the Second, and the Quantities of the Lands and Grounds so to be rated and taxed were by the said Act directed to be ascertained by the Oath of the Owners or Proprietors or Occupiers thereof, and by other Means by the said Act directed, and the Quantities of such Lands have since been ascertained accordingly: And whereas the said Tax and a Quarter, fixed upon such Part of the said Eighty-three thousand Acres, and Twelve thousand Acres, as lie within the said North Level, by the said Act of the Twenty-seventh of King George the Second, amounted to the yearly Sum of Seven hundred and seventy-seven Pounds Thirteen Shillings and Four-pence Halfpenny, and several Proprietors of the said taxable Lands having, pursuant to the Power given by that Act of Parliament, purchased off the Taxes chargeable on their Lands to the Amount of Sixty Pounds a Year, the said One thousand eight hundred Pounds Debt was thereby raised and paid off, and the said yearly Sum of Seven hundred and seventy-seven Pounds Thirteen Shillings and Four-pence Halfpenny, arising from the said Tax and a Quarter, was thereby reduced to the Sum of Seven hundred and seventeen Pounds Three Shillings and Four-pence Halfpenny: And whereas, by another Act of the Twenty-ninth Year of His late Majesty King George the Second, (intituled, 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*, commonly 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*,) it was, amongst other Things, enacted, That it should be lawful for the said Governor, Bailiffs, and Conservators of the said Corporation, or any Seven or more of them, whereof the said Governor and Bailiffs, or any of them, were to be Two, with the Consent of the Duke of Bedford, his Heirs or Assigns,

Lord

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, should 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 was due and owing upon account of the said North Level, and the Rents, Tares, and Revenues of the said North Level, were thereby made a Security for the Payment of the Sums so thereby to be borrowed, with legal or less Interest for the same, as should be agreed upon between the said Corporation and the Person and Persons lending such Money: And it was thereby further enacted, That all and singular the Rents, Tares, Sum and Sums of Money to be raised or levied by the said Corporation, from, upon, or on account of such Part of the said Ninety five thousand Acres as lie within the said North Level, should be charged and chargeable, in the first Place, with such Sums of Money as should at any Time then after be borrowed by the said Corporation upon account of the said North Level, any Thing in the said Act of the Twenty-seventh of King George the Second to the Contrary thereof in any-wise notwithstanding; and the Receiver of the said Corporation was thereby impowered and required, out of the first Money which should from Time to Time come to his Hands, arising from the Rents, Tares, and Revenues of the said North Level, to pay the Interest of such Bonds as should 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 it was thereby further enacted, That in case any of the Bonds to be given by the said Corporation upon account of the said North Level should not be paid by the said Receiver, pursuant to such Notice left or given as aforesaid, then the Rents, Tares, and Revenues of the said North Level should vest in the Person or Persons possessed of such Bonds, until the same, together with all Interest due thereupon, should be fully paid and satisfied; and that such Person or Persons, his or their Executors, Administrators, or Assigns, should have the same Power, Rights, and Privileges, of recovering the said Rents, Tares, and Revenues of the said North Level, as the said

ſaid Corporation would have had in caſe ſuch Bonds had been regularly and fully ſatisfied and paid: And whereas ſeveral Breaches having happened in the ſaid North Bank of Moreton's Leame, in the Years One thouſand ſeven hundred and ſixty-three, and One thouſand ſeven hundred and ſixty-four, the ſaid Corporation, in order to repair the ſaid Bank, and carry on the other Works directed by the ſaid Act of the Twenty-ſeventh Year of King George the Second, borrowed upon Bonds the whole Sum of Five thouſand Pounds, which they were by the ſaid laſt-recited Act enabled to borrow upon account of the ſaid North Level, which Debt ſtill remains due and unpaid, and the Intereſt now paid for the ſame amounts to the annual Sum of Two hundred and twenty-five Pounds, and the clear annual Revenue ariſing to the ſaid Corporation from the ſaid Tax and a Quarter upon the tarable Lands within the ſaid Level, after the Payment of ſuch Intereſt, was thereby reduced to the Sum of Four hundred and ninety-two Pounds, Three Shillings and Four Pence Halfpenny: And whereas other Breaches having happened in the ſaid North Bank of Moreton's Leame in the Year One thouſand ſeven hundred and ſixty-ſeven, the ſaid Five thouſand Pounds has been expended, and other Debts contracted by the ſaid Corporation in the neceſſary Repairs of the ſaid North Bank, and other Works belonging to the ſaid Corporation in the ſaid North Level: And whereas further Breaches having very lately happened in the ſaid North Bank of Moreton's Leame, the Lands lying in the ſaid North Level, and in the Manor of Crowland, comprized in the ſaid Act of the Twenty-ſeventh Year of the Reign of King George the Second, are now thereby greatly overflowed with Water, and the ſaid Tax and a Quarter, ſubject to the ſaid Five thouſand Pounds Debt, and the other Rents and Revenues ariſing and payable to the ſaid Corporation by, from, and out of the ſaid North Level, being greatly inſufficient to repair the ſaid Bank, and to diſcharge the Debts already incurred as aforeſaid, and to ſupport and maintain the other Works to which the ſame are directed to be applied by the ſaid Act of the Twenty-ſeventh Year of King George the Second, and the maintaining of the ſaid Works being abſolutely neceſſary to the preſerving and well-draining of the Lands lying in the ſaid North Level, and the ſaid Manor of Crowland, the Proprietors and Owners of the ſaid Lands are willing and deſirous that a Tax ſhould be laid upon all the Lands in the ſaid North Level and Manor of Crowland aforeſaid, in order to raiſe

Breaches of the *North Bank* in 1763 and 1764.

5000*l.* borrowed upon Bond.

Other Breaches in 1767.

Other Debts contracted.

Further Breaches.

The preſent Revenues of the Corporation inſufficient for the neceſſary Repairs.

Money to anſwer theſe Purpoſes, and to be diſpoſed of in ſuch Manner as herein after is mentioned: But though ſuch Tax to be laid for the Purpoſes aforeſaid would be for the Benefit of the Proprietors of Lands in the ſaid North Level and Manor of Crowland, yet the ſame cannot be laid, nor can the ſaid Lands be effectually drained and preſerved without the Aid and Authority of Parliament; may it therefore pleaſe Your Majeſty that it may be enacted; and 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 for, and notwithſtanding the ſaid herein before-mentioned Act or Acts, or any of them, or any Clauſes in them, or any of them contained, all and ſingular the Lands and Grounds, ſituate and being within the ſaid North Level, and the ſaid Land called Portſand, other-Great Porſand, lying within the ſaid Manor of Crowland, compriſed in the ſaid Act of the Twenty-ſeventh Year of King George the Second, (except Great Burrough Fen Common, otherwiſe Peterborough Great Fen Common; the Common, now commonly called the Four hundred Acre Common in Alderlands; Little Burrough Fen Common, otherwiſe Peterborough Little Fen Common, otherwiſe Flagg Fen Common, and that Part of Sutton Common which lies South of Old South Eau; and alſo all the Lands called Hurt's Grounds, in the Pariſh of Stand Ground; and alſo all the Lands of Oxney and Tanholt Farms, Chapel Cloſe, Borough-hill Cloſes, Padham's Peakirk Long Meadows, Peakirk Little Meadows, and the Cloſes adjoining thereto; Newark Edgerley, and the Cloſes adjoining thereto towards the Weſt, and North Billingſwood, and the Cloſes adjoining thereto, in the Pariſh of Paſton; the Lands called the Inhams, lying South of the Follybank, and the Cloſes at the South End of the Inhams, called Puttock Cloſes; and alſo except all the High Lands in Eyebury and Newark, and all the High Lands in the Pariſhes of Peterborough, Werrington, Glinton, Peakirk, Eye, Stand Ground, and Whittleſey, or any of them), ſhall yearly, and every Year be, and the ſame are hereby rated, charged, and aſſeſſed in Manner following; (that is to ſay) All the ſaid Lands and Grounds within the ſaid North Level, (except as before excepted) with a Tax of Sixpence for every Acre of the ſaid Lands and Grounds; and the ſaid Lands called Portſand, otherwiſe Great Porſand, with a Tax of Three-pence for every Acre thereof; and that the ſaid Taxes ſhall be paid to the Governor, Bailiffs, and Commonalty

All the Land in the *North Level*,

(Exception)

charged and aſſeſſed with a Tax of 6 *d. per* Acre;

and the Lands called *Portſand*, otherwiſe *Great Porſand*, with 3 *d.* an Acre.

Commonalty of the Company of Conſervators of the Great Level of the Fens, or to their Receiver, to be appointed as herein after is directed by the reſpective Owners or Occupiers of the ſaid Lands or Grounds ſo hereby rated, charged, and aſſeſſed on the Thirtieth Day of June, and the Thirtieth Day of December in every Year, by equal Half-yearly Payments, the Firſt Half-yearly Payment thereof to be made on the Thirtieth Day of June which ſhall happen next after paſſing this Act.

The Quantities of the Ground hereby taxed, to be taken as aſcertained in purſuance of 27 *Geo.* II.

And it is alſo hereby enacted, That the Quantities of the Lands and Grounds hereby rated, charged and aſſeſſed, ſhall be taken according to the reſpective Quantities thereof, aſcertained in purſuance of the ſaid Act of the Twenty-ſeventh of King George the Second as aforeſaid; and that the reſpective Owners or Occupiers of the ſaid Lands and Grounds ſhall pay the Taxes hereby rated and aſſeſſed according to the ſame Number of Acres, Roods, and Perches, as they are now rated and taxed at under that Act.

The Money ariſing by the Tax upon the adventure Lands and the other Rents and Revenues of the Corporation,

(but without Prejudice to the Debt of 5000 *l.* already borrowed upon Bond)

for defraying the Expences of this Act, and afterwards to the Works of the *North Level*, in the Act of 27 *Geo.* II. as after mentioned.

And it is hereby further enacted and declared by the Authority aforeſaid, That the Taxes hereby charged, and to be paid as aforeſaid, and alſo all and every Sum and Sums of Money to be raiſed by Sale or Mortgage of the ſaid Taxes ſo hereby impoſed, and to be borrowed and received upon the Credit of this Act, or of the ſaid Taxes hereby impoſed in manner herein after directed, ſhall, together with the Money ariſing by the ſaid Tax and a Quarter, fixed upon ſuch Part of the ſaid Ninety-five thouſand Acres as lie within the ſaid North Level, and all other the Rents and Revenues ariſing and payable to the ſaid Corporation by or from the ſaid North Level, or any Part thereof, (but ſubject and without Prejudice to the Payment of the ſaid Five thouſand Pounds borrowed by the ſaid Corporation upon Bond as aforeſaid, or the Intereſt thereof) be applied and diſpoſed of by the ſaid Governor, Bailiffs, and Commonalty, and their Succeſſors, in the firſt Place, to the paying and defraying the Charges of this Act, and afterwards in and towards the Charges of the ſeveral Banks and Works of the ſaid North Level only, in the ſaid Act of the Twenty-ſeventh Year of King George the Second, and herein after mentioned; (that is to ſay), To pay and diſcharge ſuch Debts as have been incurred for repairing the ſaid North Bank of Moreton's Leame, and other Works directed by the ſaid Act of the Twenty-ſeventh of King George the Second, and for ever hereafter to raiſe, make good, and keep in Repair the ſaid North Bank of Moreton's Leame, the Eaſt Bank of Cordyke from Moreton's Leame to the

Folly Bank, the East and West Banks of the Folly from Cordyke to the River Welland, the Old Cordyke to Peakirk Town, the Bank reaching from the Folly Bank to Peakirk Town, and the South Bank of the River Welland to the West Dam at the End of Crowland Town, until the said Banks shall be made of such a Height and Strength as the said Governor, Bailiffs, and Commonalty, or their Successors, shall judge sufficient to defend the said North Level and South Holland from and against the Land Floods; and from and after the Banks and other Works aforesaid shall be put into such a State of Security as aforesaid, then to apply such Money for and towards repairing and strengthening the Banks of Shire Drain, scouring out the Outfall, and repairing, altering, removing, and rebuilding Gunthorpe Sluice, and also for and towards repairing and strengthening the South Bank of the River Old South Eau, from West Dam aforesaid to Clow's Cross; and also the West Bank of the said River Old South Eau, from Clow's Cross to Guyhirn; and the Banks of the Counter Drain, from Guyhirn to the East End of the Severals, in Stand Ground: And after all the above Works are effectually strengthened and repaired, then for and towards the repairing and strengthening the North Bank of the River Old South Eau, from the Lott Mill in the first District to Dowesdale.

Twelve Foot Drain to be a publick Drain within Act 27 *Geo.* II.

And whereas Doubts have arisen whether the Drain in the said first District of the said North Level, from Griffen's Bar, across Part of the said Great Burrough Fen Common, to the South East Corner of the Slipe River, otherwise the Drain called the Twelve Foot Drain, which is the only Drain for conveying the Waters from Eye, Northam, Northam Reaches, and the Adventurers Lands, called the Thirds of the Reaches in Eye and Northam aforesaid, is included in the Description of the general Drains mentioned and described in the said Act of the Twenty-seventh Year of his late Majesty King George the Second; it is hereby enacted by the Authority aforesaid, That the said Drain shall, from and after the passing of this Act, be deemed and taken as a publick Drain within the said Act, and shall at all Times hereafter be maintained, scoured, and repaired by the Commissioners of the said first District or Division, in and by the said Act of the Twenty-seventh of King George the Second, appointed, or hereafter to be appointed; and that no Dam, Clough, Door, or Sluice, made, or to be made, in the said Slipe River, or any Drain leading therefrom, or the Drain called Pepper Lake or Catwater to the Mill

called the Black Horſe Mill, in the ſaid firſt Diſtrict, near the Pointing Doors in the ſaid firſt Diſtrict, ſhall be ſhut down without the Conſent of the Owners or Occupiers of the above-mentioned Lands.

Penalty for allowing Hogs to wander on the Banks.

And whereas the North Bank of Moreton's Leame and Welland Bank, from Peakirk Town to the Weſt Dam at Crowland, are frequently damaged by Swine or Hogs being ſuffered by the Owners of ſuch Swine or Hogs to go there, to the great Prejudice of the Country; be it enacted by the Authority aforeſaid, That if any Swine or Hogs ſhall, from and after the Twenty-fourth Day of June, One thouſand ſeven hundred and ſeventy-one, be found upon the ſaid Banks, or any of them, that the Owner or Owners of ſuch Swine or Hogs ſhall forfeit and pay to the ſaid Receiver, ſo to be appointed by the ſaid Governor, Bailiffs, and Conſervators, the Sum of Ten Shillings for every ſuch Swine or Hog that ſhall be found on the ſaid Banks; ſuch Penalty to be applied for and towards the Repairs of the Banks where ſuch Swine or Hogs ſhall be reſpectively found: And that ſuch Penalty of Ten Shillings ſhall, upon Proof of the Fact, upon the Oath of One Witneſs, before any One or more Juſtice or Juſtices of the Peace of the County or Place where ſuch Banks ſhall be ſituated, or by Confeſſion of the Owner or Owners of ſuch Swine or Hogs, be levied by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners of ſuch Swine or Hogs reſpectively, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices, (which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby authoriſed and required to grant, and to adminiſter ſuch Oath as aforeſaid) the Overplus remaining after ſuch Penalty recovered, and the Charges of ſuch Diſtreſs and Sale, to be returned to the Owner or Owners of ſuch Goods and Chattels.

Commiſſioners of the Five Diſtricts by Act 27 *Geo.* II.

Provided always, and be it enacted, That it ſhall and may be lawful for the Commiſſioners for the Five ſeveral Diſtricts or Diviſions, nominated or appointed, elected or choſen, by virtue of the ſaid Act of the Twenty-ſeventh Year of King George the Second, or of the Powers or Authorities thereby given, or any Forty or more of them, aſſembled at their next and every other General yearly Meeting, on the Firſt Monday in the Month of July in every Year, to elect Eighteen of the ſaid Commiſſioners to be a Committee to ſuperintend and direct the Repairs and Amendments to be made of and in the ſaid Banks and Works for the Year enſuing, the ſaid Eighteen Commiſſioners to be choſen in manner following; that

to elect a Committee to ſuperintend and direct Works.

is to say, Six of the said Committee to be chosen out of the Commissioners for the Third District, and Three others of the said Committee out of the Commissioners for each of the other Four Districts; and that the Names of the Eighteen Persons so to be chosen yearly as a Committee, shall be certified under the Hands of the Chairman and Clerk of such yearly Meetings, and returned to the Register of the said Governor, Bailiffs, and Commonalty, at their Office in London, within Ten Days after such Election: And in case the said Chairman and Clerk shall neglect or refuse to make such Return, then that it shall and may be lawful for any Two of the Commissioners present at such Election to make such Return to the Register of the said Governor, Bailiffs, and Commonalty, at their said Office in London, within Twenty Days after every such Election.

Committee, or major Part, upon Two Days Notice,

And it is hereby further enacted, That it shall be lawful for the said Committee so to be chosen as aforesaid, or the major Part of them, who shall be assembled at any Meeting within the said North Level, to be held upon Two Days Notice in Writing, given by the Clerk of the Commissioners for the said Five Districts, or by any Two of the said Committee, (such Notice to be either delivered personally to every One of such Committee, or left at their respective Dwelling-houses or Places of Abode), or in case of any Breach of Bank, for any Five or more of the said Committee, so that such Five or more consist of One Committee-man for each District, assembled together without such Notice, or the major Part of them, to direct, by Writing under their Hands, such Works to be done by the Officers of the said Corporation as they shall see necessary for any of the Purposes aforesaid; and that the Charges and Expences of such Works shall be paid by the said Corporation, out of the Taxes, Rents, and Revenues aforesaid, and out of the Money to be raised by the Sale or Mortgage of, or borrowed on the Security of the said Taxes, as herein after is mentioned; and such Committee so met shall and may adjourn themselves from Time to Time, as they shall see Occasion.

or any Five of the Committee, in case of any Breach,

to direct such Works as they shall see necessary;

the Charges to be paid by the Corporation.

Tenants to pay the Taxes,

And, to the End that the said Taxes hereby charged and assessed may be, from Time to Time, the more easily collected and received, be it further enacted by the Authority aforesaid, That all and every the Occupiers of the Lands and Grounds charged or assessed by virtue of this Act shall be, and are hereby required and made liable to pay the said Taxes so charged and assessed upon the Lands and Grounds in their respective Occupations; and

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in case of such Payment by any Tenant or Tenants who shall hold the Lands and Grounds by him, her, or them occupied at a Rack Rent or Rack Rents, such Tenant or Tenants shall be at Liberty, and is and are hereby impowered to deduct and retain, out of his or their Rent, all such Sum or Sums of Money as he or they shall respectively pay for such Taxes as aforesaid; and the several and respective Landlords or Owners of such Lands or Grounds are hereby required to allow such Deductions or Payments upon Receipt of the Residue of their Rents, on such Tenant or Tenants producing proper Receipts for the Payment of such Sum or Sums of Money so made in pursuance of this Act; and all and every Tenant and Tenants so holding at a Rack Rent, and paying such Taxes, shall be acquitted and discharged from and against his or their Landlord or Landlords, of and from so much Money as the Tax by him or them so paid as aforesaid shall amount unto, in as full and ample Manner as if the same had been actually paid to his, her, or their Landlord or Landlords.

and such as are at Rack Rent may deduct the same.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That no Lessee or Tenant for any Life or Lives, charged and assessed with the said Taxes, who shall hold the same by virtue of, or under any Lease from any Bishop or Collegiate Church or College, or any Ecclesiastical Corporations, Sole or Aggregate, or the Trustees for the Charity of Peterborough, or other beneficial Lease whatsoever, shall be intitled to deduct the Taxes charged and assessed by this Act, out of the Rent reserved or payable by any such Lease, to his, her, or their Landlord or Landlords, but the said Taxes shall be charged upon, or be paid by the said Lessees or Tenants so holding such Lands or Grounds under any such Lease or Leases as aforesaid; any Thing herein before contained to the Contrary thereof in any-wise notwithstanding.

No Deduction allowed to Tenants, under Bishops Leases.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall neglect to pay the Taxes charged and assessed upon the Lands or Grounds in his, her, or their Possession or Occupation by virtue of this Act, within Twenty-one Days next after the same shall become due or payable to the Receiver appointed to receive the same by the said Governor, Bailiffs, and Commonalty, at his usual Place of Residence within the said North Level, it shall and may be lawful to and for any Person or Persons, by virtue of any Warrant or Precept, under the Hand and Seal of such Receiver, to enter into and upon the Lands or Grounds so charged and

Tax may be levied by Distress and Sale.

and assessed as aforesaid, in Possession of such Person or Persons as shall make Default in Payment as aforesaid, and all Messuages or Tenements thereupon standing, or thereunto belonging, with their Apurtenances, and to levy the Sum or Sums of Money by him, her, or them, payable for such Tares, by Distress of the Goods and Chattels which shall be found on the Premises so charged with such Tares in Arrear as aforesaid; and in case no sufficient Distress can be found on the Premises, it shall be lawful to and for such Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy all Arrears of the said Tares by Distress of the Goods and Chattels of the Person or Persons so making Default in Payment as aforesaid, which shall be found in any other Place within the Kingdom of Great Britain; and the Goods and Chattels so distrained, to impound on the Premises, or take, lead, drive, carry away, and keep for the Space of Five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuage or Tenement, Grounds or Premises, Notice in Writing of the Cause of such Distress; and if the Owner or Owners of the Goods and Chattels so distrained shall not pay the Sum and Sums of Money due and in Arrear for the said Tares as aforesaid, and all Charges attending such Distress, or replevy the Goods and Chattels so distrained, with sufficient Sureties to be given to the Sheriff of the County where the Distress shall be so made, or High Bailiff of the Isle of Ely, according to the Laws now in being for Distresses in case of Nonpayment of Rent, within Five Days next after such Distress made, and Notice thereof given as aforesaid, the Person or Persons so distraining shall and may, with the Sheriff or Under Sheriff of the County, High Bailiff of the Isle of Ely, or his Deputy by him appointed and acting for him, Constable or Headborough of the Parish where such Distress shall be made (who are hereby required to assist therein) cause the Goods and Chattels so distrained to be appraised by Two or more indifferent Persons, to be sworn by such Sheriff, Under Sheriff, High Bailiff, or his Deputy, Constable, or Headborough (who are hereby impowered to administer such Oath) to appraise the same according to the best of their Judgements; and after such Appraisement, it shall and may be lawful to and for such Person or Persons making such Distress to sell the Goods and Chattels so distrained for the best Price that can be gotten for the same, for and towards Satisfaction of the Monies for which

Distress may be sold at the End of Five Days.

which such Distress shall be so made, and the Charges of taking, keeping, appraising, and selling the Goods and Chattels so distrained, leaving the Overplus (if any) in the Hands of such Sheriff, Under-Sheriff, High Bailiff, or his Deputy Constable, or Headborough, for the Owner's Use.

If the Lands shall be untenanted, and no Distress can be had, they shall remain Security for the Rates.

Provided always, and it is hereby enacted and declared, That in case any of the said Lands or Grounds shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found for levying the said Taxes in Arrear as aforesaid, then the Lands and Grounds chargeable therewith shall always remain a Security for the Payment thereof, and all Goods and Chattels which shall at any Time thereafter be found thereon, shall and may be distrained, impounded, kept, appraised, and sold in manner aforesaid, until all Arrears of the said Taxes, and the Charges of such Distress, shall be fully paid and satisfied.

The Proprietors of the Lands taxed may purchase off the Tax at the Rate of Thirty Years Purchase.

And forasmuch as the Rents, Taxes, and Revenues of the said North Level, subject to the said Five thousand Pounds, and the Money so to be yearly levied and collected in pursuance of this Act, will not be sufficient for answering the necessary Charges and Expences already incurred, and the further Charges and Expences necessary for the immediate repairing and maintaining of the Works aforesaid, and which may hereafter be necessary; it is hereby enacted by the Authority aforesaid, That it shall and may be lawful for the Proprietors of the Lands within the said North Level, and Manor of Crowland, to purchase off the said Taxes charged on their respective Lands by virtue of this present Act, after the Rate of Thirty Years Purchase, and upon Payment of the several Sums of Money for the Purchase of the said Taxes as aforesaid to the said Governor, Bailiffs, and Commonalty, to be by them applied towards the Works before directed, or the Debts incurred on account thereof, the said several Purchasers, their Heirs, Executors, Administrators and Assigns, and their respective Lands and Tenements, shall be from thenceforth fully and absolutely freed, exonerated, and discharged of and from so much of the said Taxes as by them shall have been respectively so purchased; and that it shall and may be lawful to and for the said Governor, Bailiffs, and Commonalty, and their Successors, and they are hereby required, upon such Payment as aforesaid, at the Costs of such Purchasers, to execute, under their common Seal, good and sufficient Conveyances, Releases, and Discharges of, for, and from the Taxes so purchased as aforesaid, to the said several Pur-

chasers, their Heirs, Executors, Administrators, and Assigns respectively, describing and bounding therein the Lands which shall be thereby released and exonerated from the said Taxes, in pursuance of such Purchases.

The Corporation of the *Bedford Level*, with the Consent of the Owners of the Manor of *Thorny High* and *Low Borrough Fen*, and the Manor of *Crowland*, may borrow Money on Bonds at Interest not exceeding 5*l.* *per Cent.*

And is is hereby further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor, Bailiffs, and Conservators of the said Corporation, and their Successors, or any Seven or more of them, whereof the Governor and Bailiffs, or any of them, to be Two, with the Consent of the Devisees in Trust, under the Will of John late Duke of Bedford, or the Survivors or Survivor of them, or the Executors, Administrators, or Assigns of such Survivor, until One of the Grandsons of the said late Duke of Bedford, the the Sons of the late Right Honourable Francis Russel, commonly called Marquis of Tavistock, shall attain the Age of Twenty-one Years, and then of the Duke of Bedford, his Heirs or Assigns, Lord or Lords, Owner or Owners of the Manor of Thorney, and of Sir Sampson Gideon Baronet, his Heirs or Assigns, Owner or Owners of High and Low Borrough Fen, and of Charles Orby Hunter, his Heirs or Assigns, Lord or Lords, Lady or Ladies, of the Manor of Crowland, or of the Owners for the Time being of any Two of the same Manors and Lands, from Time to Time, to borrow upon Bonds, under the common Seal of the said Corporation, such Sum and 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 Purposes aforesaid, so that the Whole Money to be raised by Sale of the said Taxes as aforesaid, and borrowed, do not exceed the Sum of Twenty thousand Pounds, declaring that the Money secured by such Bonds is due and owing upon account of the said North Level, and is borrowed pursuant to this present Act; and the Rents, Taxes, and Revenues of the said North Level, (but without Prejudice to the present Bond Creditors for the said Sum of Five thousand Pounds, or any of them) and the said Taxes charged and assessed by this present Act, shall be, and are hereby made a Security for the Sums so borrowed, with legal or less Interest for the same, as shall be agreed upon between the said Corporation and the Persons lending such Money; but no Money so to be borrowed shall be charged or chargeable upon any of the Rents, Taxes, or Revenues of the Middle and South Level, Part of the said Great Level of the Fens.

The Money raised by Sale and borrowed not to exceed 20,000 *l.*

The former Revenues of the *North Level* (subject to the former Debt) and the present Tax, to be a Security for the Money so borrowed.

The Bonds to be numbered.

Provided always, and be it enacted, That all Bonds so to be given by the said Corporation shall be numbered, beginning

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.

And be it further enacted, That all Bonds so to be given by the said Corporation shall be transferable or assignable by Indorsement upon the Original Bond, without Stamp, to any Person or Persons whatsoever; 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 of the Person producing such Transfer or Assignment, such Person paying the Sum of Two Shillings and Sixpence 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 thereon; and such Assignee or Assignees may, in like Manner, by Indorsement, without Stamp, assign or transfer such Bonds so assigned or transferred as aforesaid, and so toties quoties, as Occasion shall require, every such Assignment being entered in such Books as aforesaid.

Bonds may be assigned by Indorsement without Stamp.

Fee for entering of Assignments.

Assignees may assign again *toties quoties*.

And be it further enacted, That the Receiver and Receivers of the said Corporation shall, out of the Money which shall from Time to Time come to their Hands by the Rents, Cares, and Revenues, arising from the said North Level, (but without Prejudice to the present Bond Creditors for the said Sum of Five thousand Pounds, or any of them) and the Cares charged and assessed by this Act, pay the Interest of such Bonds as shall be so entered into, pursuant to this Act as aforesaid; and also the Principal due upon such Bonds, upon Six Calendar Months Notice left for that Purpose at the Office of the said Corporation in London, by the Person or Persons possessed of such Bonds.

The Taxes to be applied in Payment of the Interest of the Money borrowed, and also of the Principal, upon Six Months Notice.

Provided always, and it is hereby enacted and declared, That if any of the Bonds, so to be given by the said Corporation, shall not be paid by the said Receiver or Receivers, pursuant to such Notice left or given as aforesaid, then the Rents, Cares, and Revenues of the said North Level, (but without Prejudice to the present Bond Creditors for the said Sum of Five thousand Pounds, or any of them,) and the Cares charged and assessed by this Act, or so much thereof as shall not be purchased off by the Owners of the said Lands as aforesaid, shall vest in

If the Bonds shall not be paid pursuant to such Notice, the former Revenues of the *North Level* (subject to the former Debt) and the present Tax, to vest in the Persons possessed of such Bond until the same with Interest shall be paid.

in the Perſon or Perſons poſſeſſed of ſuch Bonds, until the ſame, together with all Intereſt due thereupon, ſhall be fully paid and ſatisfied; and ſuch Perſon or Perſons, his, her, and their Executors, Adminiſtrators, or Aſſigns, ſhall have the ſame Power, Rights, and Privileges of Recovery of the ſaid Taxes, Rents, and Revenues of the ſaid North Level, (but without Prejudice to the preſent Bond Creditors for the ſaid Sum of Five thouſand Pounds, or any of them) and the Taxes charged and aſſeſſed by this Act, as the ſaid Corporation would have had in caſe ſuch Bonds had been regularly and fully ſatisfied and paid, or had not been executed.

Nothing contained in this Act to invalidate the Securities to the former Creditors.

Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to leſſen, diminiſh, or invalidate the Securities given to the Creditors of the ſaid Corporation, by the Bonds already entered into by the ſaid Corporation upon account of the ſaid North Level, purſuant to the Power given to them for the borrowing the Sum of Five thouſand Pounds by the ſaid recited Act of the Twenty-ninth Year of the Reign of his late Majeſty King George the Second, or any of them, or the Remedies given by that Act for recovering the Principal and Intereſt due upon ſuch Bonds, or any of them.

The Corporation to elect a Perſon reſiding within the *North Level* to be Receiver of the preſent Tax.

And it is hereby further enacted, That it ſhall and may be lawful for the ſaid Governor, Bailiffs, and Commonalty, and they are hereby required to elect, from Time to Time, a Perſon reſiding within the ſaid North Level to be their Receiver of the Taxes rated and aſſeſſed by this Act for the Year enſuing; and they are hereby impowered to pay and allow unto ſuch Receiver, out of the Money to be collected for the ſaid Taxes, ſuch Sum and Sums of Money, by way of Salary, or otherwiſe, as a Recompence for ſuch Receiver's Trouble and Expences, as they ſhall ſee proper.

Security to be taken from the Receivers.

And be it further enacted, That the ſaid Governor, Bailiffs, and Commonalty, are hereby required and authoriſed to take ſuch Security from the ſaid Receiver for the due Execution of his Office, as to them ſhall ſeem meet.

The Corporation to deliver a yearly Account to the Commiſſioners of the Money received on account of the *North Level*, and of the Application thereof.

And it is hereby further enacted by the Authority aforeſaid, That the ſaid Governor, Bailiffs, and Commonalty, ſhall cauſe to be delivered to the ſaid Commiſſioners of the ſaid Five Diſtricts, at their General Meeting aforeſaid, in the Month of July, an annual Account of the Money received by or from the Taxes or Revenues of the ſaid North Level, or by the Taxes hereby rated or aſſeſſed,

assessed, or raised by Sale of the said last-mentioned Cares, or borrowed on Security thereof, as aforesaid, and of all Monies paid thereout for the Year preceding to the first Day of June then last.

Limitation of Actions.

Provided always, and it is enacted and declared by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons, for any Thing done, or to be done, in pursuance of this Act, or in Execution of any of the Powers and Authorities thereby given, every such Action, Suit, or Information, shall be commenced or prosecuted within Twelve Calendar Months next after the Fact committed, and not afterwards, and shall be laid or brought in the Counties of Cambridge, Huntingdon, Lincoln, and Northampton, or the Isle of Ely, or One of them, and not elsewhere, and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, Not Guilty; and if in Replevin, may justify and avow, by virtue of this Act, as Persons acting under and by the Authority of Commissioners of Sewers are enabled to do, and give this Act, and the Special Matter in Evidence, without specially pleading the same, other than as aforesaid, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his or their Suit or Suits, or if any Judgement shall be given against him, her, or them, upon Demurrer, or otherwise; then, and in any of the said Cases, the Defendant or Defendants, and Avowant or Avowants, shall recover Double Costs, for which he, she, or they, shall have like Remedy, as where Costs by Law are awarded.

General Issue.

Double Costs.

Rights of the Corporation and others saved to them.

Provided always, and be it hereby enacted, That all such lawful Rights, Powers, Jurisdictions, and Authorities, shall be saved and reserved unto the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, and their Successors, and to all and every other Person and Persons, his, her, and their Heirs, Executors, and Administators, now vested in and enjoyed by them, as are not hereby taken away, altered, or repealed.

Publick Act.

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

FINIS.