ANNO TRICESIMO SEXTO

Georgii III. Regis.

****

CAP. LXXIII.

An Act for laying an additional Tax upon the Lands within the *North Level*, Part of the Great Level of the Fens called *Bedford Level*, and on *Portsand*, otherwise *Great Porsand*, in the County of *Lincoln*, for the further Support and Preservation of the principal Banks and Works of the said *North Level*.

[26th *April* 1796.]

WHEREAS by an Act, made in the Fifteenth Year of the Reign of His late Majesty 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

Preamble, reciting Act 15 Car. II. 3

had been ſet forth and allotted by Bounds, in Severalty, for 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 an Act, made in the Twentieth Year of the Reign of His ſaid late Majeſty 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 taxed 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 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 another Act, made in the Twenty-ſeventh Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for diſcharging the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the 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 Debt of the ſaid Corporation; and for making 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 taxed according to the Degrees and Proportions thereby ſet out and 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 Year 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 Act 20 *Car.* II.;

and Act 27 *Geo.* II.;

Fifteenth and Twentieth Years of King *Charles* the Second, or either of them, upon the Reſidue of the Taxable Lands within the ſaid *North Level*, ſhould be always thenafter, 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 Governors, 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 *Morton's Leame*, the Eaſt Bank of *Cardyke* from *Morton's Leame* to the *Folly Bank*, the *Folly Bank*, from *Cardyke* 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 *Shire Drain*, 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 *Clows Croſs*, and alſo the Weſt Bank of the ſaid River *Old South Eau*, from *Clows 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 Year 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 empowered 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, 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 Years 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 Year 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 Parts 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 Year 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 Thirteen Shillings and Four-pence Halfpenny: And whereas, by another Act of the Twenty-ninth Year of the Reign 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 then 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 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 Governors, 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 Act 29 *Geo.* II;

and the Rents, Taxes, 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, Taxes, Sum and Sums of Money to be raiſed or levied by the ſaid Corporation, from, upon, or on Account of ſuch Parts 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 thereafter be borrowed by the ſaid Corporation, upon Account of the ſaid *North Level*, any Thing in the ſaid Act of the Twenty-ſeventh Year of King *George* the Second to the contrary thereof in anywiſe notwithſtanding; and the Receiver of the ſaid Corporation was thereby empowered and required, out of the Firſt Money which ſhould 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 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, Taxes, 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, Taxes, and Revenues of the ſaid *North Level*, as the ſaid Corporation would have had in caſe ſuch Bonds had been regularly and fully ſatisfied and paid: And whereas, by another Act, paſſed in the Eleventh Year of the Reign of His preſent Majeſty King *George* the Third, intituled, *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;* after reciting as herein-before is recited; and alſo reciting that ſeveral Breaches had happened in the ſaid North Bank of *Morton's Leame*, in the Years One thouſand ſeven hundred and ſixty-three and One thouſand ſeven hundred and ſixty-four; and that 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, had borrowed, upon Bonds, the whole Sum of Five thouſand Pounds, which they were, by the ſaid Act of the Twenty-ninth Year of King *George* the Second, enabled to borrow upon Account of the ſaid *North Level*, which Debt remained due and unpaid: And further reciting, that other Breaches having happened in ſaid North Bank of *Morton's Leame*, in the Year One thouſand ſeven hundred and ſixty-ſeven, the ſaid Five thouſand Pounds had been expended, and other Debts contracted by the ſaid Corporation, in the neceſſary Repairs of the ſaid North Bank, and other

and Act 11 *Geo.* III.

reciting that 5,000*l.* had been borrowed

other Works belonging to the ſaid Corporation, in the ſaid *North Level*: And further reciting that further Breaches having then lately happened in the ſaid North Bank of *Morton'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, were 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: It was (amongſt other Things) enacted, that 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*, otherwiſe *Great Porſand*, lying within the ſaid Manor of *Crowland*, comprized in the ſaid Act of the Twenty-ſeventh Year of King *George* the Second, (except *Great Borough Fen Common*, otherwiſe *Peterborough Great Fen Common*, the Common commonly called *The Four hundred Acre Common*, in *Alderland's*, *Little Borough 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 *Folly Bank*, and the Cloſes at the South End of *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), ſhould yearly and every Year be, and the ſame were thereby 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 ſhould be paid to the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens, or to their Receiver to be appointed as therein directed by the reſpective Owners or Occupiers of the ſaid Lands or Grounds ſo thereby rated, charged, and aſſeſſed, on the Thirtieth Day of *June*, and the Thirtieth Day of *December*, in every Year, by equal Half-yearly Payments, and applied in performing and maintaining the Works neceſſary for well draining and preſerving the ſaid Lands, and for the ſeveral other Purpoſes therein mentioned: And it was thereby further enacted, that it ſhould and might 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, were 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 Sons of the late Right Honourable *Francis Ruſſell*, commonly called *Marquis of Taviſtock*, ſhould attain the Age of Twenty-one

Revenues of the Corporation inſufficient for neceſſary Repairs.

Certain Lands in *North Level* charged and aſſeſſed with 6*d. per* Acre, and *Portſand* Lands with 3*d. per* Acre.

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 Borough 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, ſhould judge neceſſary, ſo that the whole Money to be raiſed by Sale of the ſaid Taxes, as therein directed and borrowed, did not exceed the Sum of Twenty thouſand Pounds; declaring that the Money to be ſecured by ſuch Bonds was due and owing upon Account of the ſaid *North Level*, and was borrowed purſuant to the ſaid Act; and the Rents, Taxes, and Revenues, of the ſaid *North Level*, (but without Prejudice to the then preſent Bond Creditors for the ſaid Sum of Five thouſand Pounds, or any of them); and the ſaid Taxes charged and aſſeſſed by the ſaid Act ſhould be and they were thereby made a Security for the Sums ſo borrowed, with legal or leſs Intereſt for the ſame, as ſhould be agreed upon between the ſaid Corporation and the Perſons lending ſuch Money; but no Money ſo to be borrowed ſhould be charged or chargeable upon any of the Rates, Taxes, or Revenues of the *Middle* and *South Level*, Part of the ſaid Great Level of the Fens: And whereas, in Addition to the ſaid Sum of Five thouſand Pounds, ſo borrowed as aforeſaid by the ſaid Corporation, by virtue of the ſaid Act of the Twenty-ninth Year of His late Majeſty King *George* the Second, the ſaid Corporation, in purſuance of the Power in and by virtue of the ſaid Act of the Eleventh Year of the Reign of His preſent Majeſty King *George* the Third, and for Purpoſes therein mentioned, borrowed upon Bonds the whole Sum of Twenty thouſand Pounds which ſaid Sums of Five thouſand Pounds and Twenty thouſand Pounds, making together the Sum of Twenty-five thouſand Pounds, ſtill remain due and owing from the ſaid Corporation, upon Account of the ſaid *North Level:* And whereas the Taxes, Rents, and Revenues ariſing and payable to the ſaid Corporation, by, from, and out of the ſaid *North Level*, ſubject to the ſaid Debt of Five thouſand Pounds and Twenty thouſand Pounds, being greatly inſufficient for the maintaining and ſupporting of the Works to which the ſame are directed to be applied; 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 *Portſand* otherwiſe *Great Porſand*, in the ſaid Manor of *Crowland*; it is neceſſary that a further Tax ſhould be laid upon all the Lands in the ſaid *North Level*, and *Portſand* otherwiſe *Great Porſand*, in the Manor of *Crowland* aforeſaid, in order to raiſe Money to anſwer the ſaid Purpoſes, and to be diſpoſed of in ſuch Manner as herein-after is mentioned: But though ſuch further Tax, to be laid for the Purpoſes aforeſaid, would be for the Benefit of the Proprietors of Lands in the ſaid *North Level*, and *Portſand* otherwiſe *Great Porſand*, in the Manor of *Crowland* aforeſaid; yet the ſame cannot be laid, nor can the ſaid Lands be effectually drained, and the Works maintained 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

20,000*l.* borrowed upon Bond.

The preſent Revenues of the Corporation inſufficient.

and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Certain Lands in the *North Level* charged and aſſeſſed with a further Tax of Six-pence *per* Acre;

That 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 ſaid Lands and Grounds ſituate and being within the ſaid *North Level*, and the ſaid Land called *Portſand*, otherwiſe *Great Porſand*, lying within the ſaid Manor of *Crowland*, comprized in the ſaid Act of the Twenty-ſeventh Year of the Reign of King *George* the Second, (except *Great Borough Fen Common*, otherwiſe *Peterborough Great Fen Common*; the Common now commonly called *The Four hundred Acre Common*, in *Alderlands*; *Little Borough 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 *Hurts Grounds*, in the Pariſh of *Stand Ground*; and alſo all the Lands of *Oxney* and *Tanholt Farms*, *Chapel Cloſe*, *Borough Hill Cloſes*, *Padhams*, *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 Inghams*, lying South of *The Folly Bank*, 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 *Wittleſey*, 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 an additional or further Tax of Sixpence for every Acre of the ſaid Lands and Grounds, and the ſaid Lands called *Portſand*, otherwiſe *Great Porſand*, with an additional or further Tax of Three-pence for every Acre thereof; and that the ſaid Taxes hereby charged, rated, and aſſeſſed, ſhall be paid to the Governor, Bailiffs, and 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 the paſſing of this Act.

and the Land called *Portſand*, otherwiſe *Great Porſand*, with a farther Tax of Three-pence an Acre.

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

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 Year 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 Taxes to be applied to the Works of the Corpora-

III. And be it 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 Mort-

gage 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 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 and Expences of obtaining and paſſing this Act, and afterwards in and towards the ſeveral Works for Preſervation of the ſaid *North Level*, to which the preſent Revenues of the ſaid Corporation, ariſing from the ſaid *North Level*, are applicable by virtue of the ſaid Acts of the Twenty-ſeventh Year of His ſaid late Majeſty King *George* the Second, and the Eleventh Year of His preſent Majeſty, or any other Act, in ſuch Manner as the Committee to be from Time to Time elected and appointed, out of the ſaid Commiſſioners of the ſaid Five Diſtricts, by the ſaid Act of the Eleventh Year of His preſent Majeſty, ſhall from Time to Time direct, as the ſaid Committee are by the ſaid laſt mentioned Act empowered, in reſpect to the Application of the Taxes charged by that Act. tion belonging to the ſaid *North Level*.

IV. 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 in caſe of any ſuch Payment by any Tenant or Tenants who 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 empowered to deduct and retain, out of his, her, or their Rent, all ſuch Sum or Sums of Money as he, ſhe, 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, her, or their Landlord or Landlords, of and from ſo much Money as the Tax by him, her, 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. Tenants to pay the Taxes; and ſuch as are at Rack Rent may deduct the ſame.

V. Provided always, and it is hereby further 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 Corporation, Sole or Aggregate, or the Truſtees for the Charity of *Peterborough*, or other beneficial Leaſe whatſoever, ſhall be entitled to deduct the Taxes charged and aſſeſſed by this Act, out of the Rent reſerved or made 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 anywiſe notwithſtanding. No Deductions allowed to Tenants under Leaſes for Lives.

VI. And

Tax my be levied by Diſtreſs and Sale.

VI. 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 be lawful 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 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 Appurtenances, and to levy the Sum or Sums of Money by him, her, or them, payable for ſuch Taxes, by Diſtreſs of the Goods and Chattels which ſhall be found on the Premiſes ſo charged with ſuch Taxes 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 Taxes 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 or Sums of Money due and in Arrear for the ſaid Taxes 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 Non-payment 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 empowered 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, and towards Satisfaction of the Monies for 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.

Diſtreſs may be ſold at the End of Five Days.

If the Lands ſhall be untenanted, and

VII. Provided always, and be it further enacted and declared, That in caſe any of the ſaid Lands or Grounds ſhall at any Time hereafter be untenanted

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 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.

no Diſtreſs can be had, they ſhall remain a Security for the Rates.

VIII. And foraſmuch as the Rents, Taxes, and Revenues of the ſaid *North Level*, ſubject to the ſaid Debts of Five thouſand Pounds and Twenty 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: Be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Proprietors of Lands within the ſaid *North Level* and Manor of *Crowland*, to purchaſe off the ſaid Taxes charged on the reſpective Lands by virtue of the ſaid Act of the Eleventh Year of His preſent Majeſty, and alſo 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, or to their Receiver General, 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, any Thing herein, or in any former or other Act of Parliament contained, to the contrary thereof in anywiſe notwithſtanding; and that it ſhall be lawful 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 a good and ſufficient Receipt or Receipts of, for, and from the Taxes ſo purchaſed as aforeſaid, to the ſaid ſeveral Purchaſers, their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, deſcribing and bounding therein the Lands which ſhall be thereby diſcharged and exonerated from the ſaid Taxes in purſuance of ſuch Purchaſes.

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

IX. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Governor, Bailiffs, and Commonalty, 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 Lord or Lords, Lady or Ladies, for the Time being of the Manor of *Thorney*, and of the Owner or Owners for the Time being of *High and Low Borough Fen*, and of the Lord or Lords, Lady or Ladies, for the Time being 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 Commonalty, 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

The Corporation of the *Bedford Level*, with the Conſent of certain Owners, may borrow Ten thouſand Pounds on Bonds.

Sum of Ten 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 Sums of Five thouſand Pounds and Twenty 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 former Revenues of the North Level (ſubject to the former Debts) and the preſent Tax to be a Security for the Money ſo borrowed.

The Bonds to be numbered.

X. And be it further enacted, That all Bonds ſo to be 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.

Bonds may be aſſigned by Indorſement.

XI. And be it further enacted by the Authority aforeſaid, That all Bonds ſo to be given by the ſaid Corporation ſhall be transferrable or aſſignable, by Indorſement upon the original Bond, 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 of the Perſon producing ſuch Transfer or Aſſignment, ſuch Perſon paying the Sum of Two Shillings and Sixpence for every ſuch Entry), ſhall entitle 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, 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.

The Taxes to be applied in Payment of the Intereſt and Principal of the Money borrowed.

XII. And be it further enacted by the Authority aforeſaid, 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, Taxes, and Revenues ariſing from the ſaid *North Level* (but without Prejudice to the preſent Bond Creditors for the ſaid Sums of Five thouſand Pounds and Twenty thouſand Pounds, or any of them) and the Taxes 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 Money 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.

If the Bonds ſhall not be paid purſuant to Notice, the former Revenues of the North Level (ſubject to the former Debts) and the preſent

XIII. Provided always, and be it further enacted by the Authority aforeſaid, 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, Taxes, and Revenues of the ſaid *North Level* (but without Prejudice to the preſent Bond Creditors for the ſaid Sums of Five thouſand Pounds, and Twenty thouſand Pounds, or any of them) and the Taxes charged and aſſeſſed by this

this Act, or ſo much thereof as ſhall not be purchaſed off by the Owners of the ſaid Lands as aforeſaid, ſhall veſt 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 Powers, 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 Sums of Five thouſand Pounds and Twenty 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.

Tax to veſt in the Perſons poſſeſſed of ſuch Bonds, until the ſame, with Intereſt, ſhall be paid.

XIV. Provided alſo, and be it further enacted by the Authority aforeſaid, 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 Powers given to them for the borrowing the Sums of Five thouſand Pounds and Twenty thouſand Pounds by the ſaid recited Act of the Twenty-ninth Year of the Reign of His late Majeſty King *George* the Second, and by the ſaid Act of the Eleventh Year of the Reign of His preſent Majeſty, or any of them, or the Remedies given by the ſaid Acts for recovering the Principal and Intereſt due upon ſuch Bonds, or any of them.

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

XV. And be it further enacted, That the Perſon or Perſons who ſhall from Time to Time be appointed to collect and receive the Taxes to be laid and aſſeſſed under and by virtue of the ſaid Act of the Eleventh Year of the Reign of His preſent Majeſty, ſhall be, and he is hereby authorized and empowered to receive and collect the Taxes to be rated and aſſeſſed by virtue of this preſent Act; and ſhall be allowed out of the ſaid laſt-mentioned Taxes, ſuch Sum or Sums of Money by way of Salary, or otherwiſe, as a Recompence for his Trouble and Expences, as the ſaid Governor, Bailiffs, and Commonalty ſhall from Time to Time direct and appoint.

Appointing a Collector of the Tax.

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

Security to be taken from the Receiver.

XVII. And be it 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*, and by or from the Taxes hereby rated or aſſeſſed, or raiſed by Sale of any of the Taxes ſo purchaſed as aforeſaid, 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.

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.

XVIII. And

Limitations of Actions.

XVIII. And be it further enacted 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 hereby 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 and brought in the Counties of *Cambridge*, *Huntingdon*, *Lincoln*, and *Northampton* in the *Isle of Ely*, or One of them, and not elsewhere; and the Defendant in such Action or Suit shall or may plead the General Issue, 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, or 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 or Judgements 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.

The Act of 11 *Geo.* III, to continue in Force.

XIX. And be it further enacted by the Authority aforesaid, That all Powers, Provisions, Matters, and Things, prescribed or appointed by the said Act of the Eleventh Year of the Reign of His present Majesty, not hereby taken away, altered, or repealed, shall be of full Force and Effect.

Rights of the Corporation and others saved to them.

XX. Provided always, and be it further enacted by the Authority aforesaid, 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 all and every other Person and Persons whomsoever, his, her, and their Heirs, Executors, and Administrators, now vested in and enjoyed by them, as are not hereby taken away, altered, or repealed.

Publick Act.

XXI. And be it further enacted and declared by the Authority aforesaid, 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.