



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. lxxii.

An Act for altering and amending several Acts passed for the Drainage and Improvement of the Lands lying in the *North Level*, Part of the Great Level of the Fens called *Bedford Level*, and in *Great Portsand* and in the Manor of *Crowland*; and for providing additional Funds for such Drainage and Improvement by the *Nene Outfall Cut* to Sea. [10th June 1833.]

WHEREAS an Act was passed in the Fifteenth Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for settling the draining of the Great Level of the Fens called Bedford Level*, whereby, after reciting that certain Moors, Marshes, Fenny and low surrounded Grounds called the *Great Level of the Fens*, bounded and described as in the said Act is mentioned, were undertaken to be drained by *Francis* then late Earl of *Bedford*, who was to have for his Recompence Ninety-five thousand Acres of the said Grounds, and that the said *Francis* late Earl of *Bedford*, and *William* then Earl of *Bedford*, his Son and Heir, with their Adventurers and Participants, had proceeded in the completing

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pleting and finishing the said Works, it was (amongst other Things) enacted, that the said *William* Earl of *Bedford* and the Adventurers and Participants of the said Earl *Francis* and Earl *William*, their Heirs and Assigns, should be a Body Politic and Corporate in Deed and Name and have Succession for ever by the Name of "The Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens," which Corporation should consist of One Governor, Six Bailiffs, Twenty Conservators, and Commonalty, and that the said Governor, Bailiffs, and Conservators should and might lay Taxes from Time to Time upon the said Ninety-five thousand Acres only, and do all other Things in order to the Support, Maintenance, and Preservation of the said Great Level, and Works made and to be made: And whereas another Act was passed in the Twentieth Year of the Reign of His said late Majesty King *Charles* the

20 C. 2. c. 8. Second, intituled *An Act for the taxing and assessing of the Lands of the Adventurers within the Great Level of the Fens*, whereby it was amongst other Things enacted, that all Taxes thereafter to be imposed for the Maintenance and Preservation of the said Great Level were thereby appointed and declared to be from Time to Time assessed and taxed by the said Governor, Bailiffs, and Conservators, or their Successors, upon Eighty-three thousand Acres, Parcel of the said Ninety-five thousand Acres, by a gradual Acre Tax of different Sorts and Values of Lands; and that Twelve thousand Acres, Residue of the said Ninety-five thousand Acres, should be rated, taxed, and assessed by the said Governor, Bailiffs, and Conservators, and their Successors, at the Rate and according to the Proportion therein mentioned; and it was further enacted, that certain Persons therein named were thereby constituted and appointed to be Surveyors and Valuers of the said Eighty-three thousand Acres, and were to digest the same into Sorts or Degrees of Land, not under the Number of Seven Sorts or Degrees, and to rate and tax such Degrees, and to digest the same into Schedules in Writing, and make Returns thereof upon their Oaths into the Fen Office; which said Schedules were afterwards duly made and returned into the said Fen Office, pursuant to the Provisions of the said last-recited Act: And whereas the said Great Level called *Bedford Level* hath been long since and is now divided into and distinguished by the several Names of the *North Level*, the *Middle Level*, and the *South Level*: And whereas another Act was passed 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 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*, whereby, after reciting the said Acts passed in the Fifteenth and Twentieth Years of the Reign of the said late King *Charles* the Second, and that the several Banks, Rivers, Sewers, and Works of the said *North Level* were become so greatly

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decayed and ruinous that great Part of the Lands in the same Level had lately been very frequently flooded, and that the Lands called *Portsand* otherwise *Great Porsand*, Parcel of the Demesnes belonging to and lying within the Manor of *Crowland*, in *South Holland* in the County of *Lincoln*, therein-after bounded and described, were subject also to be frequently flooded, and that the said last last-mentioned Lands adjoined to the said *North Level*, and lay convenient to be drained therewith, and that it would be for the mutual Benefit of the Proprietors thereof and the Proprietors of the Lands within the said *North Level* to join in one common Drainage, it was (amongst other Things) enacted and declared, that it should be lawful for the Proprietors of taxable Lands within the said *North Level* to purchase off so much of the Taxes chargeable on their respective Lands, by virtue of or under the said recited Acts of the Fifteenth and Twentieth Years of the Reign of King *Charles* the Second, at the several Rates therein mentioned, as should be sufficient to raise the Sum of One thousand eight hundred Pounds, and upon Payment of the several Sums of Money for the Purchase of the said Taxes within the Time, and to be applied in the Manner therein mentioned, the said several Purchasers, their Heirs, Executors, Administrators, and Assigns, and their respective Lands and Tenements, should be freed, exonerated, and discharged from the Taxes by them so purchased as aforesaid, and from all other Rates and Taxes whatsoever chargeable on the Lands by them so exonerated as aforesaid by virtue of the said Acts of the Fifteenth and Twentieth Years of King *Charles* the Second, or either of them; and it was further enacted and declared, that the Taxes chargeable by virtue of the said Acts of the 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* which should not be so exonerated as aforesaid, should be always thereafter fixed and settled upon so much thereof as should be Part of the said Eighty-three thousand Acres before mentioned at a Tax and a Quarter, and on so much thereof as should be Part of the said Twelve thousand Acres before mentioned in proportion thereto according to the said Act of the Twentieth of King *Charles* the Second, and should not be lessened or increased, 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 from the said *North Level*, should from thenceforth be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, in and about the several Banks and Works of the said Level in the said now reciting Act specified; and it was further enacted and declared, that the several Lands and Grounds intended to be drained under the Powers and Authority of the now reciting Act should be divided into Five Districts or Divisions in the Manner therein mentioned; and it was further enacted, that the several Persons therein named should be and were thereby constituted and appointed Commissioners for executing and effecting the Powers, Authorities, and Purposes of the said now reciting Act for the Time therein mentioned; and that the said Commissioners, and such other Commissioners as should thereafter succeed them, or be nominated or appointed, elected or chosen, in their or any of their Steads, should meet yearly at the Place and Time therein mentioned, and

and then and there from Time to Time should assess, rate, tax, and charge the respective Owners or Occupiers of all and singular the Lands and Grounds within the said several Districts or Divisions therein-before mentioned and described (except certain Lands therein mentioned and described), by and with equal and proportionable yearly Rates, Taxes, or Sums of Money, at the Discretion of the said Commissioners, not exceeding in any One Year after the Expiration of the first Four Years Sixpence for every Acre thereof; and that the Taxes and Sums of Money so to be assessed, rated, raised, and received as aforesaid should from Time to Time be applied and disposed of by the Commissioners for putting the now reciting Act into execution, for and towards the general Works of draining and preserving all the said Districts or Divisions in the said now reciting Act specified, and for the other Purposes therein mentioned; and for supplying and continuing a sufficient Number of Commissioners for putting the said Act into execution, it was further enacted, that the several Persons therein named and referred to, and the several other Persons thereby directed or authorized to be from Time to Time annually named, appointed, elected, and chosen respectively, should be and continue Commissioners for putting the said Act into execution, for the Time and in the Manner therein mentioned: And whereas another Act was passed in the Twenty-ninth Year of the

29 G. 2. c. 9. Reign of His said 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*, whereby it was amongst other Things enacted, that it should be lawful for the said Governor, Bailiffs, and Conservators, 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 should judge necessary for the Use of the said *North Level*, not exceeding in the whole the Sum of Five thousand Pounds, and that the Rents, Taxes, and Revenues of the said *North Level* should be and they were thereby made a Security for the Repayment of the Sums so to be borrowed, with Interest for the same, as therein mentioned: and it was further enacted, that all and singular the Rents, Taxes, and Sums of Money to be received, raised, or levied by the said Corporation from such Part of the said Ninety-five thousand Acres as lay within the said *North Level* should be charged and chargeable in the first place with the Payment of such Sums of Money as should at any Time thereafter be borrowed by the said Corporation upon account of the said *North Level*, and the Interest of such Sums: And whereas another Act was passed in the Eleventh Year of the Reign of His late 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

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, whereby, after reciting to the Effect that the said Tax and a Quarter fixed upon such Part of the said Eighty-three thousand Acres and Twelve thousand Acres as lay within the said North Level, by the said Act of the Twenty-seventh Year of the Reign of the late King George the Second, amounted (after deducting the Amount purchased off) to the yearly Sum of Seven hundred and seventeen Pounds Three Shillings and Four-pence Halfpenny, and that the said Corporation had borrowed upon Bonds the whole Sum of Five thousand Pounds which they were by the said Act of the Twenty-ninth Year of the Reign of the said late King George the Second enabled to borrow upon account of the said North Level, which Debt then remained due and unpaid, and that the said Five thousand Pounds had been expended, and other Debts contracted by the said Corporation, in the necessary Repairs of the Works belonging to the said Corporation in the said North Level, it was (amongst other Things) enacted, that all and singular the Lands and Grounds within the said North Level and Portsand otherwise Great Porsand (except as therein mentioned) should yearly 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 thereof, 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 said Governor, Bailiffs, and Commonalty of the Company of Conservators as therein mentioned; and it was further enacted, that the Taxes thereby charged and to be paid as aforesaid, and also all and every Sums of Money to be raised by Sale or Mortgage of the said Taxes, and to be borrowed and received upon the Credit of the said now reciting Act, or of the said Taxes thereby imposed in manner therein-after directed, should, together with the Money arising by the said Tax and a Quarter fixed upon such Part of the said Ninety-five thousand Acres as lay 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 without Prejudice to the Payment of the said Five thousand Pounds borrowed as aforesaid, or the Interest thereof), be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, after paying the Charges of the said now reciting Act, 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 therein-after mentioned; and it was provided and further enacted, that it should be lawful for the Commissioners for the Five several Districts or Divisions nominated, appointed, elected, or chosen by virtue of the said Act of the Twenty-seventh Year of King George the Second, in every Year, to elect Eighteen of the said Commissioners to be a Committee to superintend and direct the Repairs and Amendments of and in the said Banks and Works for

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the Year ensuing, and that it should be lawful for the said Committee so to be chosen as aforesaid to direct such Works to be done by the Officers of the said Corporation as they should see necessary for any of the Purposes therein aforesaid, and that the Charges and Expences of such Works should 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 therein-after mentioned; and it was further enacted, that it should be lawful for the Proprietors of Lands within the said *North Level* and Manor of *Crowland* to purchase off the said Taxes charged on their respective Lands by virtue of the said now reciting Act, after the Rate therein mentioned, and upon Payment of the several Sums of Money for the Purchase thereof the several Purchasers, their Heirs, Executors, Administrators, and Assigns, and their respective Lands and Tenements, should be freed, exonerated, and discharged from so much of the said Taxes as by them should have been respectively so purchased; and it was further enacted, that it should be lawful for the Governor, Bailiffs, and Conservators of the said Corporation, with the Consent of the Devisees in Trust under the Will of *John* then late Duke of *Bedford*, until one of his Grandsons, the Sons of the then late Right Honorable *Francis Russell* (commonly called Marquis of *Tavistock*), should 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 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 Owner 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 should judge necessary for the Purposes therein aforesaid, so that the whole Money to be raised by Sale of the said Taxes as aforesaid and borrowed did not exceed the Sum of Twenty thousand Pounds, and the Rents, Taxes, and Revenues of the said *North Level*, but without Prejudice to the then Bond Creditors for the said Sum of Five thousand Pounds, and the said Taxes charged and assessed by the said now reciting Act, should be and were thereby made a Security for the Sums so borrowed, with Interest for the same, as therein mentioned: And whereas another Act was passed in the Thirteenth Year of the Reign of His said late Majesty King *George* the Third, intituled

13 G. 3. c. 60. *An Act for draining and preserving certain Lands and Grounds in the Parishes of Tid Saint Giles and Newton in the Isle of Ely in the County of Cambridge, and in Tid Saint Mary's in the County of Lincoln*, whereby it was (amongst other Things) enacted, that it should be lawful for the Commissioners of the said *North Level*, appointed or to be appointed by virtue of the said Act of the Twenty-seventh Year of His said late Majesty King *George* the Second, to open and make a certain Cut, then some Time since begun, called *Kinderley's Cut*, from the South End of the *West Marsh* or the *River's End*, therein mentioned, through the *Common Salt Marsh* in the Parish of *Tid Saint Giles* aforesaid, to near *Buckworth's Sluice*,
and

and to continue the said Cut along the said *Salt Marsh* in the Parish of *Tid Saint Mary's* aforesaid at or near the Outfall of *New Gunthorpe Sluice*, and also to make such Banks and Dams as therein mentioned: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for laying an additional Tax upon the Lands within the North Level, Part of the Great Level of the Fenns called Bedford Level, and on Portsand otherwise Great Porsand, in the County of Lincoln, and for the further Support and Preservation of the principal Banks and Works of the said North Level*, whereby, after reciting to the Effect that, in addition to the said Sum of Five thousand Pounds borrowed 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 of the said Act of the Eleventh Year of His said Majesty King *George* the Third, borrowed upon Bonds the whole Sum of Twenty thousand Pounds, which said Sums of Five thousand Pounds and Twenty thousand Pounds still remained owing from the said Corporation upon account of the said *North Level*, and that it was necessary that a further Tax should be laid upon the said Lands, it was (among other Things) enacted, that all and singular the said Lands and Grounds within the said *North Level* and *Portsand* otherwise *Great Porsand* (except as therein mentioned) should yearly 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 an additional Tax of Sixpence for every Acre thereof, and the said Lands called *Portsand* with an additional Tax of Three-pence for every Acre thereof; and that the said Taxes should be paid to the said Governor, Bailiffs, and Commonalty of the Company of Conservators as therein mentioned; and it was further enacted, that the Taxes thereby charged, and to be paid as aforesaid, and also all Sums of Money to be raised by Sale or Mortgage of the said Taxes, and to be borrowed and received on the Credit of the said now reciting Act, or of the said Taxes thereby imposed in manner therein-after directed, should be applied and disposed of by the said Governor, Bailiffs, and Commonalty, and their Successors, after paying the Charges of the said now reciting Act, in and towards the several Works for the Preservation of the said *North Level* to which the then existing Revenues of the said Corporation arising from the said *North Level* were 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 then 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 then present Majesty should from Time to Time direct, as the said Committee were by the said last-mentioned Act empowered in respect to the Application of the Taxes charged by that Act; and it was further enacted, that it should 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 said respective Lands by virtue of the said Act of the Eleventh Year of His then present Majesty, and also by virtue of the said now reciting Act, after the Rate therein mentioned;

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mentioned; and upon Payment of the several Sums of Money for the Purchase thereof, the said several Purchasers, their Heirs, Executors, Administrators, and Assigns, and their respective Lands and Tenements, should be freed, exonerated, and discharged from so much of the said Taxes as by them should have been respectively so purchased; and it was further enacted, that it should be lawful for the said Governor, Bailiffs, and Commonalty, with the Consent of the Lord or Lords, Lady or Ladies for the Time being of the Manor of *Thorney*, and of the Owner and 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 should judge necessary for the Purposes therein aforesaid, so that the whole Money to be raised by Sale of the said Taxes as aforesaid, and borrowed, did not exceed the Sum of Ten thousand Pounds, and the Rents, Taxes, and Revenues of the said *North Level* (but without Prejudice to the then Bond Creditors for the said Sums of Five thousand Pounds and Twenty thousand Pounds), and the said Taxes charged and assessed by the said now reciting Act, should be and were thereby made a Security for the Sums so borrowed, with Interest for the same, as therein mentioned: And whereas another Act was passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for improving the Outfall of the River Nene, and the Drainage of the Lands discharging their Waters into the Wisbech River, and the Navigation of the said Wisbech River, from the upper End of Kinderley's Cut to the Sea, and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea*, whereby, after reciting (amongst other Things) in part to the Effect herein-before recited, and that the making of a new Cut or Channel for the Waters of the said *Wisbech River*, as therein mentioned, with proper Banks and other Works, would materially facilitate the Passage and Outfall of the Waters of the said River *Nene* by and through the said *Wisbech River* to the Sea, and greatly contribute to the effectual Drainage of the Lands then discharging their Waters into the said *Wisbech River*, and to the improving of the Navigation of the same River, it was (amongst other Things) enacted, that the Commissioners appointed, named, or chosen by or under the Authority of the said recited Act passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George the Second*, for the Five several Districts into which the said *North Level* and *Portsand* otherwise *Great Porsand* were thereby divided, together with certain other Persons in the said now reciting Act mentioned or referred to, should be and they were thereby appointed Commissioners for the Time being for executing the said now reciting Act, and the several Powers, Provisions, and Purposes thereof; and it was further enacted, that the said Commissioners should be and they were thereby made and constituted One Body Politic and Corporate, by the Name and Style of "The Commissioners of the *Nene Outfall*;" and it was further enacted, that the Committee from Time to Time elected and to be elected for the said Five several Districts or Divisions pursuant

to the Directions of the said recited Act of the Eleventh Year of the Reign of His said late Majesty King *George* the Third, together with Two Persons to be elected as therein-after mentioned, should be and they were thereby appointed a Committee of the said Commissioners for executing the said now reciting Act; for the Purposes, with the Powers and Authorities, and under the Regulations therein-after expressed and contained; and it was further enacted, that it should be lawful for the said Commissioners for executing the said now reciting Act, and they were thereby required, to set out, make, and complete a new Cut or Channel for the Passage of the Waters of the said *Wisbech* River to the Sea, the said new Cut or Channel to join the said Cut called *Kinderley's Cut* at the North or lower End thereof, and to extend therefrom unto or near unto a certain Place called *Crab Hole*, lying in the Estuary or Bay called *Sutton Wash*, and to be in the Direction therein-after mentioned, and also to make and complete proper and sufficient Banks and Forelands along the said new Cut, and such Drains, Sluices, Tunnels, and other Works as are therein mentioned; and it was further enacted, that the Costs, Charges, and Expences of making, executing, and completing the said new Cut or Channel, and the Banks and Works thereby authorized to be made, (over and beyond several Sums of Money therein mentioned and specified to be raised and contributed by several Parties contributory to the said Costs, Charges, and Expences,) and the Costs, Charges, and Expences of maintaining, preserving, and repairing the said new Cut or Channel, Banks, and Works, and the said *Kinderley's Cut*, and the Banks and Works thereto belonging, should from Time to Time be paid, satisfied, and discharged by the said Commissioners for executing the said now reciting Act from and out of the several Rates, Taxes, Sums of Money, and Funds therein-after provided, directed, and authorized to be raised and received by the said Commissioners for the Purposes of the said now reciting Act; but so nevertheless that the Sum of Forty-eight thousand Pounds only should be the actual Proportion of the said Costs, Charges, and Expences which should be eventually defrayed and borne by the said Commissioners, and that the remaining Part thereof over and beyond the said Forty-eight thousand Pounds should be liable to be repaid to the said Commissioners in the Manner therein-after provided; and after providing for the raising of the said Sum of Forty-eight thousand Pounds as therein mentioned, it was further enacted, that it should be lawful for the said Commissioners for executing the said now reciting Act and they were thereby required from Time to Time yearly to assess, rate, tax, and charge all and singular the said Lands and Grounds within the said Five several Districts or Divisions into which the said *North Level* and *Portsand* otherwise *Great Porsand* were divided as aforesaid (except as therein mentioned) with such yearly or other equal Acre Rates or Taxes as should be necessary and sufficient for raising, defraying, and paying from Time to Time the remaining Costs, Charges, and Expences of making, executing, and completing the said new Cut or Channel, and other Works by the said now reciting Act authorized to be made, and for the several other Purposes therein mentioned; and it was further enacted, that it should be lawful for the said Commissioners for executing the said now reciting Act,

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c. 53.

either to provide and raise, or to direct or authorize their said Committee to provide and raise, any Part or Parts of the said Sum of Forty-eight thousand Pounds, or of the said remaining Costs, Charges, and Expences, by borrowing or taking up any Principal Sum or Sums of Money at Interest upon any Mortgage or Mortgages of the yearly Rates, Taxes, and Sums of Money to be assessed, rated, taxed, and charged by the said Commissioners as therein aforesaid, or by selling or granting any Annuity or Annuities to be payable out of the said last-mentioned yearly Rates, Taxes, and Sums of Money, during the Life of any One or more Person or Persons, or by both of the said Means, in the Manner in the said reciting Act mentioned: And whereas another Act was passed in the Tenth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act for altering, amending, and enlarging the Powers granted by an Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, for improving the Outfall of the River Nene, and the Drainage of the Lands discharging their Waters into the Wisbech River, and the Navigation of the said Wisbech River, from the upper End of Kinderley's Cut to the Sea, and for embanking the Salt Marshes and Bare Sands lying between the said Cut and the Sea*, whereby it was (amongst other Things) enacted, that it should be lawful for the said Commissioners of the *Nene Outfall* and they were thereby authorized and required to alter, vary, extend, improve, and complete the Line of the said new Cut or Channel in the Manner in the said now reciting Act mentioned, and to remove, take down, and carry away a certain Sluice therein mentioned, called *Gunthorpe Sluice*, and the Sluice House and Buildings appertaining thereto, and to construct and make such new Sluice and Sluice House, Drains, and other Works at such other Place or Places as to the said Commissioners for executing the said recited Act passed in the Twenty-seventh Year of the Reign of His Majesty King George the Second might seem necessary and expedient, to communicate with the said new Cut or Channel at or near to its Junction with *Kinderley's Cut* as aforesaid: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act for improving the Drainage of the Lands lying in the North Level, Part of the Great Level of the Fens called Bedford Level, and in Great Portsand in the Manor of Crowland, and for providing a Navigation between Clows Cross and the Nene Outfall Cut*, whereby, after reciting (amongst other Things) in part to the Effect herein-before recited, and that the Drainage of the Five Districts into which the said *North Level* and *Great Portsand* were divided by the said recited Act of the Twenty-seventh Year of the Reign of the said late King George the Second would be much improved by the *Nene Outfall Cut* and *North Level Sea Sluice* so authorized to be made as aforesaid, but that it would be expedient to make a new Main Drain for conveying the Waters of the said Five Districts by a more direct and perfect Course from the said *Clows Cross* to and through the said new Sea Sluice unto the said *Nene Outfall Cut*, and to make certain other Works as therein-after mentioned, and to improve the then present and make some new Interior Drains within the said Districts respectively, it was (among other Things) enacted, that all and singular the Taxes, Rents, and Re-

venues then respectively arising and payable and thereafter to arise and become payable to the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said Great Level of the Fens called *Bedford Level*, or to the said Governor, Bailiffs, and Conservators, by, from, or out of the said *North Level*, or by, from, or out of the said *North Level* and *Great Portsand* respectively, under the Authority of the said herein-before recited Acts, respectively passed in the Fifteenth and Twentieth Years of the Reign of His said late Majesty King *Charles* the Second, as limited by the said Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and under the Authority of the said Acts respectively passed in the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, should thenceforth be applied and disposed of by the said Governor, Bailiffs, and Conservators, and their Successors, in and about the several Banks and Works of the said *North Level* and *Great Portsand* therein-after mentioned; that is to say, to raise, make good, maintain, and keep in repair the North Bank of *Moreton's Leam* from *Peterborough Fen-gate* to *Guyhirn*, the Banks of the Counter Drain from *Guyhirn* to the East End of the *Severals* in *Standground*, the East Bank of *Cor-dyke* from *Moreton's Leam* to the West End of *Eye Town*, the Bank reaching from the *Folly Bank* to *Peakirk Town*, the South Bank of the River *Welland* from the *Folly Bank* to the *West Dam* at the End of *Crowland Town*, the South Bank of the old *South Eau* from the said West Dam to *Clows Cross*, the West Bank of the old *South Eau* from *Clows Cross* to *Guyhirn*, and the North Bank of the old *South Eau* from the *Lot Mill* in the First District to *Dowdsdale*, respectively, under the Superintendence and Direction of the Committee elected and appointed and to be from Time to Time elected and appointed out of the said Commissioners for the said Five Districts of the said *North Level* and *Great Portsand* in the Manner directed by the said recited Act passed in the Eleventh Year of the Reign of the said late King *George* the Third, and the said Taxes, Rents, and Revenues, or any Part thereof, should not be applied or disposed of to or for any other Purpose whatsoever; and it was provided and further enacted, that nothing therein contained should extend to lessen, prejudice, or invalidate any Security already given or thereafter to be given by the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, of or upon any of the said Taxes, Rents, and Revenues last therein-before mentioned, or any of them, pursuant to any of the Powers given to the said Governor, Bailiffs, and Commonalty, or Governor, Bailiffs, and Conservators, by any of the said Acts therein-before recited; and it was further enacted, that the several Persons for the Time being respectively nominated, appointed, elected, and chosen, and duly qualified and authorized to act as Commissioners, pursuant to the said recited Act of the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, should be and they were thereby appointed Commissioners for executing as well the said last-mentioned Act as also the now reciting Act by the Name and Designation of "The *North Level* Commissioners;" and it was further enacted, that the Committee of Eighteen of the said *North Level* Commissioners, from Time to Time elected pursuant to the said recited Act of the Eleventh Year of the Reign of the said late King *George* the Third, should be a Committee

mittee from Time to Time for executing the several Powers and Authorities by the said now reciting Act granted to such Committee; and it was further enacted, that it should be lawful for the said *North Level* Commissioners and they were thereby authorized and required to set out, and with all convenient Speed to make and complete, or cause to be made and completed, a new Main Drain, to be called the *North Level Main Drain*, for the passing and conveying of the Waters of the said Five Districts of the said *North Level* and *Great Portsand* from the said *Clows Cross*, therein-before mentioned, through the several Parishes or Hamlets in the said now reciting Act mentioned, into the said new Cut or Channel called the *Nene Outfall Cut*, by and through the said new Sluice to be called the *North Level Sea Sluice*; and also to make and complete, or cause to be made and completed, proper and sufficient Banks and Forelands and other Works, as in the said now reciting Act is mentioned, and to set out, and with all convenient Speed to make, alter, enlarge, deepen, open, scour out, and complete, or cause to be set out, made, altered, enlarged, deepened, opened, scoured out, and completed, the several *North Level* Interior Drains therein-mentioned, being respectively situate within the said *North Level*, for the Passage of the Waters of the said Five several Districts of the said *North Level* and *Great Portsand* into the said intended Main Drain at *Clows Cross* aforesaid; and to make, put down, and erect, or cause to be made, put down, and erected, at or near to *Clows Cross* aforesaid, two new Sluices, with Slackers or Pointing Doors and other necessary Appendages thereto; and it was further enacted, that all and singular the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand*, as bounded and described in the said recited Act of the Twenty-seventh Year of the Reign of the said late King *George* the Second (except as in the said now reciting Act is mentioned), should be and the same were thereby respectively assessed, taxed, and charged with a Tax of Sixpence *per Acre* in the then present Year, and a Tax of Sixpence *per Acre* in the Year One thousand eight hundred and thirty-one, for every Acre thereof; and that all and singular the said Lands (except as is before excepted) should be and the same were thereby respectively assessed, taxed, and charged with a yearly Tax of Three Shillings *per Acre* in every Year after the said Year One thousand eight hundred and thirty-one for every Acre thereof, and so in proportion for any Quantity less than an Acre thereof; and it was further enacted, that it should be lawful for the said *North Level* Commissioners, and they were thereby authorized, in their Discretion, from Time to Time to admit a Navigation by Lighters, Boats, Vessels, and Craft not exceeding Twenty Tons in Burthen, of and upon the said intended *North Level* Main Drain, between *Clows Cross* aforesaid and the *Nene Outfall Cut* aforesaid, and to demand and receive from the Master or other Person having the Command or Care of any Lighter, Boat, Vessel, or Craft such several Navigation Tolls as were therein mentioned and specified; and it was further enacted, that it should be lawful for the said *North Level* Commissioners and they were thereby empowered to demand and receive, or cause to be demanded and received, at such Toll Bars or Toll Chains as they might think fit to erect or place upon both or either of the Banks of the said intended *North Level* Main Drain, such

such several Bank Tolls as were therein mentioned; and it was further enacted, that all and singular the said Taxes, Tolls, and other Monies so by the said now reciting Act respectively assessed, taxed, and charged, and authorized to be demanded and received, or otherwise made payable to or for the Use of the said *North Level* Commissioners, as therein-before respectively mentioned, should from Time to Time (except in the several Cases in which it was otherwise provided thereby) be applied and disposed of, by or under the Authority of the said *North Level* Commissioners, (after paying and satisfying certain Costs, Charges, and Expences therein mentioned and referred to,) in paying and defraying the Costs, Charges, and Expences of making, executing, and completing the said intended *North Level* Main Drain, the said intended Sluices at *Clows Cross*, and the said several *North Level* Interior Drains, and all or any other of the Works by the said now reciting Act authorized to be made and executed (the Costs whereof were not by the said Act directed to be otherwise raised, paid, or provided for), and of purchasing, taking, or using any Lands, Buildings, or Tithes, or of making any Compensations for Damages, and of executing the several Powers and Authorities thereby given to the said *North Level* Commissioners, or their Committee, for carrying the said Act into execution; and in the next place in maintaining, supporting, preserving, and securing, as well the said *North Level* Sea Sluice, and the Sluice House, Works, and Appurtenances thereto belonging, and the said *North Level* Main Drain, and the said Two Sluices at *Clows Cross*, as also all and singular the said *North Level* Interior Drains, with their respective Works and Appurtenances, and all and singular other the Works by the said now reciting Act authorized to be made or executed by the said *North Level* Commissioners, or then or thereafter to be under the exclusive Direction or Controul of the same Commissioners or their said Committee, (the Costs whereof were not thereby directed to be otherwise raised, paid, or provided for,) and also in repaying any Principal Monies which should be borrowed or taken up by the said Commissioners by way of temporary Loan, and the Interest thereof, and in securing and paying the yearly Interest of any Mortgages or any Annuities which should be respectively made or granted by the said Commissioners, and in repaying and discharging, or providing and raising a Sinking Fund for the Repayment and Discharge of all or any Part of any Principal Sums of Money which should have been borrowed by them upon any such Mortgage or Mortgages as aforesaid, and also in paying and discharging such further Costs, Charges, Expences, Claims, and Demands as are therein mentioned or referred to; and it was further enacted, that it should be lawful for the said *North Level* Commissioners, at any of their Meetings, to provide and raise, or to direct or authorize their said Committee for the Time being to provide and raise, all or any Part of the Costs and Charges of making and completing the said *North Level* Sea Sluice, and the Works and Appurtenances thereof, and of making, executing, and completing the said *North Level* Main Drain, *Clows Cross* Sluices, and Interior Drains, Sluices, Banks, and other Works, by the said now reciting Act authorized to be made and executed, either by borrowing or taking up any Principal Sum or Sums of Money at Interest upon

[*Local.*] 19 U any

any Mortgage or Mortgages of all or any of the several yearly Taxes, Tolls, and other Monies so respectively assessed, taxed, and charged, and authorized to be demanded and received, or otherwise made payable to or for the Use of the said Commissioners, by the several Provisions of the said Act as aforesaid, or by selling any Annuity or Annuities to be payable out of all or any of the same Taxes, Tolls, and Monies during the Life or Lives of any One or more Person or Persons, or by both of the said Means, as the said Commissioners should from Time to Time think proper or see occasion so to provide and raise: And whereas another Act was passed in the First Year

1 W. 4. c. 27. of the Reign of His present Majesty, intituled *An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, intituled 'An Act for improving the ' Drainage of the Lands lying in the North Level, Part of the Great ' Level of the Fens called Bedford Level, and in Great Portsand in the ' Manor of Crowland, and for providing a Navigation between Clows ' Cross and the Nene Outfall Cut,'* whereby, after reciting the said herein-before recited Act of the Eleventh Year of the Reign of the said late King George the Fourth, it was (amongst other Things) enacted, that the Principal Monies to be borrowed or taken up at Interest by the said *North Level* Commissioners upon Mortgage of the yearly Taxes then or thereafter to be assessed, taxed, or charged upon or payable out of the several Lands lying within the said Five Districts of the said *North Level* and *Great Portsand* under the Authority of the said therein recited Act or of the said now reciting Act should not exceed the Sum of One hundred and twenty thousand Pounds Principal Money to be due or owing in the whole at any one Time; and it was further enacted, that all and singular the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand*, by the said therein recited Act taxed and charged with the said yearly Tax of Three Shillings *per* Acre, should be and the same were thereby respectively assessed, taxed, and charged with an additional yearly Tax of One Shilling for every Acre thereof; and it was further enacted, that notwithstanding any thing in the said therein recited Act contained to the contrary, the said yearly Tax of Three Shillings *per* Acre should from Time to Time be applied in manner following; that is to say, in the first place in paying the yearly Interest of any Principal Sums of Money to be borrowed under the Authority of the said therein recited Act and of the said now reciting Act upon Mortgage of both the said yearly Taxes of Three Shillings and One Shilling *per* Acre, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds at any one Time, and in the next place in appropriating the yearly Sum of Five hundred Pounds as a Sinking Fund in every Year for the Purposes in the said now reciting Act mentioned, and in the next place in appropriating the yearly Sum of One thousand Pounds in every Year to be applied in, for, and towards the making, maintaining, and supporting the several Drains and other Works by the said therein recited Act authorized to be made, executed, and maintained, and discharging the several Expences incidental thereto, and of carrying the said therein recited Act and the said now reciting Act into execution; and that after answering the several Purposes aforesaid the Surplus of the said Tax of Three Shillings *per*

Acre should be applied for the several other Purposes for which the same was by the said therein recited Act made applicable; and that the said yearly Tax of One Shilling *per* Acre should from Time to Time be applied in aid of the said yearly Tax of Three Shillings *per* Acre for the Payment of the yearly Interest of any Principal Sums of Money to be borrowed upon Mortgage as aforesaid, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds at any one Time, and for appropriating the said yearly Sums of Five hundred Pounds and One thousand Pounds for the Purposes thereinbefore mentioned; and that the said yearly Tax of One Shilling *per* Acre should not be applied to any Purpose whatsoever other than the said Purposes to which the same was thereby expressly made applicable, and that so much only thereof as should from Time to Time be required for those Purposes for the Year next following the Day on which such last-mentioned Tax should be payable in every Year should be raised, levied, or demanded: And whereas the said *Nene Outfall* Commissioners, in pursuance of the Powers given to them by the said Two recited Acts of the Seventh and Eighth Years and the Tenth Year of the Reign of His said late Majesty King *George* the Fourth, have proceeded to execute the said *Nene Outfall Cut*, and the said *North Level* Sea Sluice; and the several Banks and other Works which by the same last-mentioned Acts they were directed and authorized to execute, and the said Cut, Sluice, Banks, and Works are for the most part completed, and only some small Parts thereof remain to be executed; and the said *North Level* Commissioners, in pursuance of the Powers given to them by the said Two recited Acts of the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, and the First Year of the Reign of His said present Majesty, have proceeded to make and execute the said *North Level* Main Drain, and the several Interior Drains, Banks, and other Works which by the said last-mentioned Acts they were directed and authorized to execute, and considerable Progress has been made in the Execution thereof: And whereas the several Taxes, Rents, and Revenues now respectively arising and payable to the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said Great Level of the Fens called *Bedford Level*, or to the said Governor, Bailiffs, and Conservators, by, from, and out of the said *North Level*, or by, from, and out of the said *North Level* and *Great Portsand* respectively, under the Authority of the said recited Acts of the Fifteenth and Twentieth Years of the Reign of His said late Majesty King *Charles* the Second, as limited by the said recited Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and under the Authority of the said herein-before recited Acts of the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, and not purchased off under the several Powers in that Behalf given by the said Three last-mentioned Acts respectively, and which said several Taxes, Rents, and Revenues are by the said recited Act of the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth directed to be exclusively applied and disposed of by the said Governor, Bailiffs, and Conservators in and about the several Banks and Works of the said *North Level* and *Great Portsand*, therein and herein before mentioned, now amount together to the

the clear yearly Sum of Two thousand and three hundred Pounds or thereabouts : And whereas out of the said several Sums of Five thousand Pounds, Twenty thousand Pounds, and Ten thousand Pounds so respectively by the said recited Acts of the Twenty-ninth Year of the Reign of His said late Majesty King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, authorized to be borrowed upon the Credit of the said several last-mentioned Taxes, Rents, and Revenues, by the Bonds of the said Governor, Bailiffs, and Conservators, or of the said Governor, Bailiffs, and Commonalty as aforesaid, there now remain owing and unpaid the several Sums of Three thousand four hundred Pounds, Two thousand Pounds, and One thousand nine hundred Pounds, (amounting in the whole to the Sum of Seven thousand three hundred Pounds Principal Money,) and no more, and the yearly Interest now payable in respect thereof (being after the Rate of Five Pounds *per Centum per Annum*) amounts to the yearly Sum of Three hundred and sixty-five Pounds only : And whereas by means of the said *Nene Outfall Cut* the Lands of the said *North Level* and *Great Portsand* are not only in the Course of being better drained and are better secured against Floods, but the Expence of maintaining the Works and Embankments necessary for these Purposes will be greatly diminished, and a Surplus will arise in consequence thereof, and it is therefore reasonable that a Portion of the Taxes heretofore necessary for such Purposes should be made available towards Payment of the Debt contracted by the said Commissioners of the *Nene Outfall* in making the said *Nene Outfall Cut*, which being the Outlet of Discharge for the Waters of the said *North Level* and *Great Portsand* is identified with and has become an integral Part of the Objects for which the said Taxes were levied, and it is therefore proper that the Funds of the one should be rendered aiding and assisting to the Funds of the other : And whereas the said Commissioners of the *Nene Outfall*, in the executing of the said *Nene Outfall Cut* and the Works connected therewith, have incurred Debts to the Amount of Twenty-five thousand Pounds and upwards, for the Payment whereof they have at present no available Funds, and it is desirable that the said *North Level* Commissioners should be enabled to raise for the Benefit of the said Commissioners of the *Nene Outfall* the said Sum of Twenty-five thousand Pounds upon the Credit of the said several Taxes, Rents, and Revenues of the said *North Level* and *Great Portsand* so arising and payable to the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said *Bedford Level*, or to the said Governor, Bailiffs, and Conservators, and now rendered available for such Purpose by the Operation of the said *Nene Outfall Cut* and Works, as herein-before mentioned ; and the present Lord of the Manor of *Thorney* aforesaid, and the present Owner of *High and Low Borough Fen* aforesaid, and the present Lord of the Manor of *Crowland* aforesaid, are severally consenting that the said Sum of Twenty-five thousand Pounds, and such further Sum, if any, as shall be required for the Purposes herein-after mentioned, shall be so raised : And whereas it is desirable that the said Commissioners of the *Nene Outfall*, acting in execution of the said recited Acts respectively passed in the Seventh and Eighth Years and in the Tenth Year of the

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the Reign of His said late Majesty King *George* the Fourth, and the said *North Level* Commissioners, acting in execution of the said recited Acts respectively passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, and in the First Year of the Reign of His said present Majesty, should be enabled from Time to Time mutually to pay over each to the other in aid of their respective Funds, for the Purposes of their said respective Acts, any surplus Funds from Time to Time remaining unapplied in their respective Hands, or under the Direction or Controul of them respectively: But inasmuch as the said Objects cannot be effected without the Aid 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 (notwithstanding any thing contained in the said recited Acts or any of them to the contrary) it shall be lawful for the said *North Level* Commissioners and they are hereby authorized and empowered, at any of their Meetings to be held pursuant to the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth (Forty at least of the said Commissioners being there present), and without such Consent as is required by the said recited Acts passed respectively in the Twenty-ninth Year of the Reign of His said late Majesty King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, or any of them, to borrow and take up or to order and direct to be borrowed and taken up at Interest the Principal Sum of Twenty-five thousand Pounds, or any Part or Parts thereof, and either in One or more Sum or Sums, upon Mortgage of all or any of the said several Taxes, Rents, and Revenues so respectively arising and payable, or from Time to Time to arise and become payable to the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or to the said Governor, Bailiffs, and Conservators, by, from, and out of the said *North Level*, or by, from, and out of the said *North Level* and *Great Portsand* respectively, under the Authority of the said recited Acts of the Fifteenth and Twentieth Years of the Reign of His said late Majesty King *Charles* the Second, as limited by the said recited Act of the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and under the Authority of the said recited Acts of the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, and by Writing under the Hands and Seals of any Five of the said *North Level* Commissioners present at any of their said Meetings (the Chairman of the Meeting being One of them), to assign the same last-mentioned Taxes, Rents, and Revenues, or any of them, to any Body or Bodies, or Person or Persons, who shall lend or advance such Principal Sum of Twenty-five thousand Pounds, or any Part thereof, as a Security or Securities for the Repayment of such Principal Sum, or such Part thereof as shall be so lent or advanced, with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*; and every such Security

Power for the North Level Commissioners to raise 25,000*l.* by Mortgage of the Bedford Level Corporation Funds.

for the Repayment of any such Principal Sum or Sums of Money as shall be so lent and advanced as last aforesaid, with Interest for the same, may be in the Form or to the Effect following, with such other Stipulations or Provisions to be inserted therein as the Case may require; (that is to say,)

Form of
Mortgage.

‘ WE of the *North Level*
 ‘ Commissioners, acting in the Execution of an Act passed
 ‘ in the Eleventh Year of the Reign of His Majesty King George
 ‘ the Fourth, intituled *An Act for improving the Drainage of the*
 ‘ *Lands lying in the North Level, Part of the Great Level of the Fens*
 ‘ *called Bedford Level, and in Great Portsand in the Manor of Crow-*
 ‘ *land, and for providing a Navigation between Clows Cross and the Nene*
 ‘ *Outfall Cut*, do by virtue of the Power and Authority given to us
 ‘ in this Behalf by an Act passed in the Fourth Year of the Reign of
 ‘ His Majesty King *William* the Fourth, intituled [*here set forth the*
 ‘ *Title of this Act*] and in consideration of the Sum of
 ‘ Pounds advanced and paid to the said Commissioners
 ‘ by (the Receipt of which
 ‘ we do hereby acknowledge), bargain, sell, and assign unto the
 ‘ said Successors and Assigns (or
 ‘ Executors, Administrators, and Assigns, *as the Case may be*), all
 ‘ and singular the Taxes, Rents, and Revenues now respectively
 ‘ arising and payable or hereafter to arise and become payable to the
 ‘ Governor, Bailiffs, and Commonalty of the Company of Conserva-
 ‘ tors of the Great Level of the Fens called *Bedford Level*, or to the
 ‘ Governor, Bailiffs, and Conservators of the said Great Level,
 ‘ by, from, and out of the said *North Level*, or by, from, and
 ‘ out of the said *North Level* and *Great Portsand* respectively,
 ‘ under the Authority of certain Acts of Parliament respectively
 ‘ passed in the Fifteenth and Twentieth Years of the Reign of
 ‘ His late Majesty King *Charles* the Second, and in the Eleventh
 ‘ and Thirty-sixth Years of the Reign of His late Majesty King
 ‘ *George* the Third, respectively recited in the said Act of the
 ‘ Fourth Year of the Reign of His said Majesty King *William* the
 ‘ Fourth; to hold the same Taxes, Rents, and Revenues unto the
 ‘ said Successors and Assigns,
 ‘ (or Executors, Administrators, and Assigns, *as the Case may be*),
 ‘ until the said Sum of Pounds, together with
 ‘ Interest for the same after the Rate of Pounds
 ‘ *per Centum per Annum*, to be computed from the Day of the Date
 ‘ hereof, shall be fully repaid and satisfied to him, (her, or them, *as*
 ‘ *the Case may be*), such Interest to be paid by equal half-yearly
 ‘ Payments on the Day of and the
 ‘ Day of in every Year in the meantime. Given under
 ‘ our Hands and Seals the Day of in the Year
 ‘ of our Lord .’

Or every or any such Security may be in such other Form, and with or subject to such other Stipulations and Provisions for varying the Rate of Interest, and for securing the Payment of the Interest, and the Repayment or Discharge of the Principal Money to be thereby secured, and otherwise, as the said *North Level* Commissioners and the Mortgagee or Mortgagees shall think proper to insert therein,

but so as not to prejudice any prior or subsequent Security for the said Principal Sum of Twenty-five thousand Pounds, or any Part thereof, which may have been or may be made of or upon the said Taxes, Rents, and Revenues, or any of them, pursuant to the Provisions of this Act, nor to create or give any Preference or Priority over any such subsequent Security for the said last-mentioned Principal Sum, or any Part thereof; and every such Security to be so signed and sealed by any Five or more of the said *North Level* Commissioners as aforesaid (the Chairman of the Meeting being one) shall be valid, binding, and effectual to all Intents and Purposes, and shall be a good Discharge to the Person or Persons to whom the same shall be made for the Consideration Money therein expressed to be paid by him, her, or them, without his, her, or their being called upon or liable to see to the Application thereof; and a Copy of every such Security as shall be so made by the said *North Level* Commissioners as aforesaid shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners, and such Book may be inspected at all seasonable Times by any Person or Persons whomsoever on Payment of the Sum of One Shilling to the said Clerk for every such Inspection.

II. And be it further enacted, That it shall be lawful for every Body and Person to whom any such Security shall be so made as aforesaid, or who shall be entitled to the same, or to the Principal Money and Interest thereby secured, or any Part or Proportion thereof, and he, she, and they is and are hereby respectively empowered, from Time to Time, by any Writing under his, her, or their Hand and Seal or Hands and Seals, to assign or transfer such Security, or any Share thereof or Interest therein, and all or any Part of the Monies due or to become due thereon, to any Body or Bodies, or Person or Persons whomsoever; and every such Assignment or Transfer shall be produced or notified to the Clerk of the said *North Level* Commissioners, who shall cause a Memorial thereof, specifying the Date thereof, and the Names, Additions, and Places of Abode of the several Parties thereto, and the Sum or Sums of Money therein mentioned to be transferred, to be entered in the said Book to be kept for entering the said original Securities, for the Entry of which said Memorial the said Clerk shall be paid the Sum of Five Shillings, and no more, by the Person or Persons producing or notifying such Assignment or Transfer as aforesaid; and after such Entry made of such Memorial as aforesaid, and not sooner or otherwise, such Assignment or Transfer shall entitle the Assignee or Assignees therein named, and his, her, or their Successors, Executors, Administrators, and Assigns, to the Benefit thereof, and of the original Security, or of the Interest therein which shall have been thereby assigned or transferred; and every Assignee of any such Security shall and may in like Manner assign and transfer such Security from Time to Time as he or she shall think proper.

III. And be it further enacted, That every such Security and Assignment, or Transfer thereof as aforesaid, shall be entered and registered by the Register of the *Bedford Level* Corporation in the Books

Securities to be assignable.

Securities and Assignments to be registered

by the Register of the Bedford Level Corporation.

Books of the said Corporation kept at the Fen Office, and a Fee of Twenty Shillings shall be paid to him for entering and registering the same, together with an additional Fee of One Shilling for every additional Folio of One hundred Words beyond and exceeding the first One thousand Words.

Mortgagees to be Creditors in an equal Degree.

IV. And be it further enacted, That the several Bodies or Persons (if more than One) to whom such respective Securities shall have been made or granted by the said *North Level* Commissioners as aforesaid, and their respective Successors, Executors, Administrators, and Assigns, shall be Creditors upon the said several Taxes, Rents, and Revenues thereby respectively charged therewith, in an equal Degree one with another, according to the Amount of the respective Principal Sums of Money which shall be thereby respectively secured to them; and any One or more of the said several Bodies or Persons, or his, her, or their respective Successors, Executors, Administrators, or Assigns, shall not have any Preference over any of the others of them, or his, her, or their respective Successors, Executors, Administrators, or Assigns, by reason of any Priority in the Date of such respective Securities, or any of them, or in the Time of advancing the Monies for which the same shall have been respectively given.

Provision for Payment of Interest on the Securities.

V. And be it further enacted, That the Receiver for the Time being of the *North Level* Taxes payable by virtue of the said recited Acts passed in the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third shall from Time to Time pay and apply the several Taxes and Monies received or to be received by him under the Authority of the said last mentioned Acts, or so much thereof as shall be necessary, and so far as the same will extend after discharging and satisfying the Costs, Charges, and Expences incident to the Receipt, Collection, and Recovery of the said Taxes and Monies, in and towards Payment and Satisfaction of the yearly Interest of the Principal Sum or Sums of Money which shall from Time to Time be due and owing upon or by virtue of any such Security or Securities to be so made as aforesaid, to the Party or Parties who shall be entitled thereto, by equal half-yearly Payments, when and as the same shall become due; and in case such Taxes and Monies shall at any Time or Times be insufficient wholly to keep down and satisfy such Interest, then it shall be lawful for any Five of the said Committee of the said *North Level* Commissioners (the Chairman or Deputy Chairman of the said Committee being One of them), and they are hereby directed, from Time to Time, as Occasion shall require, and either before or after any such half-yearly Payment of Interest shall become due, to issue One or more Order or Orders in Writing under their Hands to the Expenditor General for the Time being of the said Governor, Bailiffs, and Commonalty, for the Payment of such Sum or Sums of Money as shall appear to them to be necessary to make good and satisfy any Deficiency of such Interest as aforesaid; and the said Expenditor General, upon Receipt of every such Order, shall, from Time to Time, out of the Rents and Tolls in the first place, and then out of the Taxes and other Revenues of the said *North Level* comprised in such respective Securities which shall then be in or shall first thereafter come into his Hands,

pay

pay unto the said Receiver such Sum or Sums of Money as shall be mentioned in such Order ; and the said Receiver shall from Time to Time pay and apply such last-mentioned Sum or Sums of Money, or so much thereof as shall be therefore required, in Payment and Satisfaction of such Interest as aforesaid, or of so much thereof as the said Taxes and Monies in the Hands of the said Receiver under the Authority of the said recited Acts of the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third shall be insufficient to pay and satisfy ; and the Receipt of the said Receiver shall be a sufficient Discharge to the said Expenditor General for the same.

VI. And be it further enacted, That the Expenditor General for the Time being of the said Governor, Bailiffs, and Commonalty of the Company of Conservators of the said *Bedford Level*, and the Receiver for the Time being of the said *North Level* Taxes, shall, upon receiving Notice in that Behalf from any Mortgagee or Assignee for the Time being entitled to any such Security which shall have been so granted by the said *North Level* Commissioners as aforesaid, and they are hereby severally authorized and required, with and out of the Taxes, Rents, and Revenues comprised in such Security, or so much thereof as shall from Time to Time be received by them respectively, so far as the same will extend, to repay the Principal Money mentioned in and secured by such Security to the Party or Parties entitled thereto on the Day or respective Days and in the Manner appointed for the Repayment thereof in such Security, or in case no such Day shall be therein appointed, or in case the Payment of the said Principal Money shall have been postponed beyond the Day which shall be therein appointed for the Payment thereof by Consent of the Mortgagee or Assignee entitled to receive such Principal Money, then upon Six Calendar Months previous Notice in Writing for the Payment of such Principal Money being given to or left at the respective Dwelling Houses or Offices for the Time being of the Expenditor of the said Governor, Bailiffs, and Commonalty, and the Receiver of the said *North Level* Taxes, by or on behalf of the Mortgagee or Assignee for the Time being possessed of or entitled to such Security, or to the Principal Money and Interest thereby secured.

VII. And be it further enacted, That in case the Principal Money due by virtue of any Security which shall have been granted by the said *North Level* Commissioners, by virtue of this Act as aforesaid, shall not be paid to the Party or several Parties entitled thereto, or any of them, at the Time or Times and in the Manner herein directed, and according to the Provisions herein contained for the Payment thereof, or in case the Interest payable in respect of any such Principal Money shall not be paid to the said Party or several Parties, or any of them, on the several half-yearly Days of Payment whereon the same shall from Time to Time become due, or within Thirty Days afterwards, Demand thereof in Writing from the said Receiver of the said *North Level* Taxes having been made by or on behalf of the said Party or several Parties after the Expiration of the said Thirty Days, then and in any such Case, and notwithstanding

Provision for
Payment of
Principal
mentioned in
the Secu-
rities.

In default
of Payment,
the Taxes
and Reve-
nues to vest
in the Mort-
gagees.

[*Local.*]

19 Y

any

any thing contained in the said recited Acts and this Act, or any of them, to the contrary, the said several yearly Taxes, Rents, and Revenues which shall have been made liable to and charged with the Payment thereof respectively shall thereupon (but subject and without Prejudice to the Bond Creditors of the said Governor, Bailiffs, and Commonalty, and of the said Governor, Bailiffs, and Conservators respectively, as herein-after mentioned,) vest in the Mortgagee or Mortgagees to whom the same yearly Taxes, Rents, and Revenues shall have been respectively mortgaged as aforesaid, or their respective Successors, Executors, Administrators, or Assigns, or in some Person or Persons to be nominated by them, or the major Part of them in Trust for all of them, according to the respective Amounts of the several Principal Monies due to them respectively by virtue of their respective Securities, until all the said Principal Monies and Interest in the Payment whereof Default shall have been made as aforesaid, and all further and accruing Interest due upon the same Securities respectively, shall be fully paid and satisfied to the said several Mortgagees respectively, or their respective Successors, Executors, Administrators, or Assigns, together with the Costs and Charges which shall have been occasioned to them respectively by the Nonpayment of the same Principal Monies and Interest, or during such intermediate Time only as the said Mortgagee or Mortgagees for the Time being shall think proper; and the said Mortgagees, and their respective Successors, Executors, Administrators, and Assigns, shall during such Time as aforesaid have all such and the same Powers, Rights, Privileges, and Remedies for recovering, collecting, and receiving the said Taxes, Rents, and Revenues which shall be so mortgaged to them respectively as aforesaid, as the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators respectively, would have had in case the said respective Mortgages had not been made or granted.

Power to
raise Money
for the Dis-
charge of
Principal
Monies
called in.

VIII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners and they are hereby empowered, in like Manner as aforesaid, to provide and raise from Time to Time, by the Ways or Means and in the Manner herein-before mentioned, and to secure to be repaid with Interest, by One or more such Mortgage or Mortgages, or Security or Securities as aforesaid, any Sum or Sums of Money which shall from Time to Time be required for paying off and discharging any Principal Money or Monies theretofore borrowed or taken up at Interest as aforesaid under the Authority of this Act, which shall from Time to Time be called in by the Party or Parties respectively entitled thereto, or which the said *North Level* Commissioners shall from Time to Time think proper to pay off and discharge, or any Part thereof respectively for the Payment of which there shall at the Time be no Fund or no sufficient Fund appropriated and available at the Disposal of the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, or the said *North Level* Commissioners respectively; and every such last-mentioned Mortgage or Security, and the Mortgagee or Mortgagees to whom the same shall be made, and his, her, and their respective Successors, Executors, Administrators, and Assigns, shall be subject to and have the Benefit of the several Provisions in this Act contained, in relation to any original Mortgage or Security

to be granted by the said Commissioners as aforesaid, or in relation to any Mortgagee therein named.

IX. Provided always, and be it further enacted, That the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators, or the said *North Level* Commissioners respectively, or any of them, or the Heirs, Executors, or Administrators of any of them, shall not personally, nor shall the Goods, Chattels, Lands, or Tenements of any of them, be liable to or chargeable with the Repayment of any Principal Money or Monies to be secured by or upon any such Mortgage or Mortgages as aforesaid, or any Part thereof, or any Interest for the same, or any Costs or Charges in relation thereto, or by reason of the Nonpayment thereof respectively, but the same shall respectively be charged upon the said Taxes, Rents, and Revenues which shall be mortgaged and charged for the Payment thereof respectively under the Authority of this Act as aforesaid.

The Bedford Level Corporation or North Level Commissioners not to be personally answerable.

X. Provided also, and be it further enacted, That the several existing Bond Creditors of the said Governor, Bailiffs, and Commonalty, and of the said Governor, Bailiffs and Conservators respectively, under the Authority of the said recited Acts respectively, passed in the Twenty-ninth Year of the Reign of His said late Majesty King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, and all Bond Creditors to be substituted in their Place under the Authority herein-after contained, shall respectively, in respect of their said respective existing Bond Debts, and any Bond Debts to be substituted in lieu thereof as herein-after mentioned, to the Amount of and not exceeding the Principal Sum of Seven thousand and three hundred Pounds in the whole, be preferred to and take Priority over all and every or any Mortgage Security or Securities to be made in pursuance of this Act as aforesaid, and to and over all and every or any Mortgagee or Mortgagees, or their respective Successors, Executors, Administrators, or Assigns, claiming under or by virtue of any such Mortgage Security as last aforesaid.

Priority of existing Bond Creditors, and of Bond Creditors to be substituted in their Place.

XI. Provided also, and be it further enacted, That it shall not be lawful for the said Governor, Bailiffs, and Commonalty of the said Company of Conservators of the said Great Level, or for the said Governor, Bailiffs, and Conservators, under the Authority of the said recited Acts of the Twenty-ninth Year of the Reign of His said late Majesty King *George* the Second, and the Eleventh and Thirty-Sixth Years of the Reign of His said late Majesty King *George* the Third, or any of the same Acts, to raise or borrow, by Bond or otherwise, any further Sum or Sums of Money on the Credit of the said Taxes, Rents, and Revenues so respectively payable to them as aforesaid, from the said *North Level* and *Great Portsand*, or either of them, for any Purpose whatsoever, except for the Purpose of paying off and discharging any Principal Sum or Sums of Money so already borrowed by them, and now remaining owing and unpaid upon their said Bonds as aforesaid, or any of them, or any Part thereof, and not exceeding in the whole the said Principal Sum of Seven thousand three hundred Pounds.

Bedford Level Corporation not to have Power to raise more Money on the Credit of the North Level Taxes, except for paying off existing Bonds.

XII. Pro.

Power for
the Corpo-
ration to
borrow Mo-
ney to pay
off existing
Bonds.

XII. Provided also, and be it further enacted, That it shall be lawful for the said Governor, Bailiffs, and Conservators, at any Time or Times after the passing of this Act, to call in the said existing Bonds, or the said Bonds to be substituted in their Place, or any of them, and for that Purpose to borrow and take up at Interest upon Bonds under the Common Seal of the said Governor, Bailiffs, and Commonalty, upon the Credit of the aforesaid Taxes, Rents, and Revenues, any Sum or Sums of Money which shall be required for paying off and discharging the Principal Sum or Sums of Money then owing, and secured upon the Bond or Bonds to be so called in as aforesaid, so that the whole Debt to be due upon all or any of such Bonds shall not at any One Time exceed in Amount the said Principal Sum of Seven thousand and three hundred Pounds.

Power for
the North
Level Com-
missioners to
pay off the
Bond Debts
of the Cor-
poration,
and to bor-
row Money
for that
Purpose.

XIII. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners and they are hereby empowered, if they shall see Occasion, to pay off and discharge the said existing Bond Debts of the said Governor, Bailiffs, and Commonalty, and Governor, Bailiffs, and Conservators, or any of them, or any Bond or Bonds to be hereafter substituted in the Place of them or any of them, and for that Purpose to borrow, provide, and raise, from Time to Time, by the Ways or Means and in the Manner herein-before mentioned in relation to the said Sum of Twenty-five thousand Pounds so authorized to be borrowed and taken up on Mortgage as aforesaid, and to secure to be repaid, with Interest, by One or more such Mortgage or Mortgages, or Security or Securities as aforesaid, any further Sum or Sums of Money which shall be necessary for enabling them to pay off and discharge the said existing or substituted Bonds, or any of them; and every such last-mentioned Mortgage or Security, and the Mortgagee or Mortgagees to whom the same shall be made or granted, and his, her, and their respective Successors, Executors, Administrators, and Assigns, shall be subject to and have the Benefit of the several Provisions in this Act contained, in relation to any Mortgage or Security to be granted by the said Commissioners as aforesaid, or in relation to any Mortgagee therein named, and shall be in an equal Degree with, but shall not have any Preference or Priority over, the several Securities which shall have been or shall be made or granted by the said Commissioners for the said Sum of Twenty-five thousand Pounds herein-before authorized to be borrowed and taken up at Interest, or any of them, or the several Parties respectively entitled thereto.

No more
than 32,300*l*.
to be due on
Securities at
one Time.

XIV. Provided always, and be it further enacted, That there shall not be raised, borrowed, due, or owing upon any Bond or Bonds already made or granted, or hereafter to be made or granted by the said Governor, Bailiffs, and Commonalty, or by the said Governor, Bailiffs, and Conservators, for the Purposes of the said *North Level*, under the Authority of the said recited Acts or any of them, and upon any Mortgage or Mortgages, or Security or Securities to be made or granted by the said *North Level* Commissioners under the Authority of this Act, a greater Principal Sum of Money than the Sum of Thirty-two thousand three hundred Pounds in the whole at any One Time.

XV. And

XV. And be it further enacted, That (notwithstanding any thing in the said recited Act of the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth or in any previous Act contained to the contrary) as well the yearly Interest to be from Time to Time payable to the Bond Creditors for the Time being of the said Governor, Bailiffs, and Commonalty, and the said Governor, Bailiffs, and Conservators respectively, for and in respect of any Principal Sum or Sums of Money due to such Creditors respectively, not exceeding the said Principal Sum of Seven thousand and three hundred Pounds in the whole, as also the yearly Interest to be from Time to Time payable to the Mortgagee or Mortgagees for the Time being under the Provisions of this Act, for and in respect of any Principal Sum or Sums of Money due to such Mortgagees respectively, not exceeding the Principal Sum of Twenty-five thousand Pounds in the whole, shall be preferred to and shall be fully paid and satisfied in every Year before any Part of the said Taxes, Rents, and Revenues whereon the same are or shall be respectively charged as aforesaid, or which are or shall be liable to the Payment thereof respectively, shall be applied in such Year to the Maintenance of the Banks and Works of the said *North Level* and *Great Portsand* to which the same Taxes, Rents, and Revenues are applicable, as herein-before mentioned, or any of them, or to any other Purpose whatsoever.

Interest to existing Bond Creditors and Mortgagees to be paid in preference to Maintenance of Works.

XVI. And be it further enacted, That it shall not be lawful for any Person or Persons whomsoever, under the Authority of the said recited Acts respectively passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Second, and the Eleventh and Thirty-sixth Years of the Reign of His said late Majesty King *George* the Third, to purchase off the Taxes charged in the same Acts or any of them, or any Part or Portion of such Taxes, in the Manner authorized by the said last-mentioned Acts respectively, or otherwise, any Power or Authority contained in the said last-mentioned Acts, or any of them, to the contrary thereof notwithstanding.

No Person hereafter to purchase off the Taxes;

XVII. And be it further enacted, That all such Sums of Money as shall from Time to Time be borrowed and taken up at Interest by the said *North Level* Commissioners upon any such Mortgage as aforesaid, under the Authority of this Act (except such Sums as shall be borrowed or taken up for the Purpose of discharging any Principal Monies then already due upon any such Mortgage or Bond as aforesaid), shall upon Receipt thereof be paid over and disposed of by the said *North Level* Commissioners unto the said Commissioners of the *Nene Outfall*, or their Treasurer, to be by the said last-named Commissioners applied in Payment and Discharge of all or any of the Debts which have been already or shall be hereafter incurred by them in the making and completing of the said *Nene Outfall Cut*, and the Works connected therewith, under the Authority of the said recited Acts respectively passed in the Seventh and Eighth Years and in the Tenth Year of the Reign of His said late Majesty King *George* the Fourth, and which now are or shall be at any Time hereafter remaining unpaid.

Monies borrowed to be paid to the Commissioners of the Nene Outfall.

The Nene
Outfall Com-
missioners
to repay
25,000*l.* on
Notice.

XVIII. And be it further enacted, That in case the said Sum of Twenty-five thousand Pounds, or any Part thereof, after the same shall have been so borrowed by the said *North Level* Commissioners, and paid over to the said Commissioners of the *Nene Outfall* as aforesaid, shall be required by the said *North Level* Commissioners for the Purpose of making, executing, repairing, supporting, or maintaining any Works within or for the said *North Level*, and the said *North Level* Commissioners shall give or cause to be given to the said Commissioners of the *Nene Outfall*, or their Clerk, a Notice in Writing requiring the said last-mentioned Commissioners to repay to the said *North Level* Commissioners, for the Use of the said *North Level*, or for any of the Works thereof, the said Sum of Twenty-five thousand Pounds, or so much thereof as shall have been so borrowed and paid over to the said Commissioners of the *Nene Outfall* as aforesaid, or any Part or Parts thereof, then and in such Case it shall be lawful for the said Commissioners of the *Nene Outfall*, and they are hereby authorized and required, at the Expiration of Six Calendar Months next after such Notice being given as aforesaid, to raise and levy from Time to Time, in such Manner, and by all or any such Ways and Means as are severally directed or authorized by the said recited Act of the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth, in respect to any Taxes, Monies, or Funds thereby required or authorized to be charged, borrowed, raised, or levied, and in addition thereto, the said Sum of Twenty-five thousand Pounds, or so much thereof and such Part or Parts thereof as shall from Time to Time be required by any such Notice to be paid as aforesaid, together with the Amount of the Interest which shall then be due in respect thereof, at a Rate not exceeding Five Pounds *per Centum per Annum*, to be computed from the Time or several Times at which the said Sum or any Part or Parts thereof shall have been so paid over to the said Commissioners of the *Nene Outfall* as aforesaid, but not exceeding Ten Years Interest in the Whole, and to pay over the same to the said *North Level* Commissioners in and towards Repayment of the said Sum of Twenty-five thousand Pounds, by this Act authorized to be borrowed by the said *North Level* Commissioners, and to be paid over by them to the said Commissioners of the *Nene Outfall* as aforesaid, until the Whole of the said Sum of Twenty-five thousand Pounds shall be fully repaid by the said Commissioners of the *Nene Outfall* to the said *North Level* Commissioners, together with such Interest as aforesaid, and the said Sum of Twenty-five thousand Pounds, and the Interest thereof, or so much thereof as shall be so repaid from Time to Time to the said *North Level* Commissioners, shall be paid, applied, and disposed of by them or their said Committee in and for the several Works and Purposes of the said *North Level* or any of them.

Power for
the Nene
Outfall Com-
missioners
and the
North Level
Commis-
sioners to pay

XIX. And be it further enacted, That (notwithstanding any thing contained in the said several recited Acts or any of them to the contrary) it shall be lawful for the said Commissioners of the *Nene Outfall* and they are hereby authorized and empowered, if they shall think proper (but not otherwise), at any of their Meetings, from Time to Time to order and direct the Payment over to the said *North*

Level Commissioners, in aid of the Purposes of the said recited Acts respectively, passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, and the First Year of the Reign of His present Majesty, or any of them, but without Prejudice to any of the then existing Securities thereon, all and every or any Sum or Sums of Money which shall be in any Year or Years remaining unapplied in the Hands of the Treasurer or Treasurers of the said Commissioners of the *Nene Outfall*, and shall not be required in such Year or Years for the Purposes of the said recited Acts respectively, passed in the Seventh and Eighth Years and the Tenth Year of the Reign of His said late Majesty King *George* the Fourth, or any of them; and that it shall be lawful for the said *North Level* Commissioners and they are hereby authorized and empowered, if they shall think proper (but not otherwise), at any of their Meetings, from Time to Time to order and direct the Payment over to the said Commissioners of the *Nene Outfall*, in aid of the Purposes of the said recited Acts respectively, passed in the Seventh and Eighth Years and the Tenth Year of the Reign of His said late Majesty King *George* the Fourth, or any of them, but without Prejudice to any of the then existing Securities thereon, all and every or any Sum or Sums of Money which shall be in any Year or Years remaining unapplied in the Hands of the Treasurer or Treasurers of the said *North Level* Commissioners, and shall not be required in such Year or Years for the Purposes of the said recited Acts respectively, passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, and the First Year of the Reign of His present Majesty, or any of them.

over to each other any surplus unapplied Funds in their respective Hands.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners of the *Nene Outfall*, or the said *North Level* Commissioners, at any Time or Times to charge, raise, or levy any Rate, Tax, or Sum of Money for the Purpose only of creating or increasing any surplus Fund or Balance in the Hands of their respective Treasurers, to be applied or paid over to each other in aid of their respective Funds in the Manner last herein-before mentioned.

No Tax to be raised for creating surplus Fund for the *Nene Outfall* or *North Level* Commissioners.

XXI. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners of the *Nene Outfall* and the said *North Level* Commissioners respectively to require the Repayment without Interest of any Sum or Sums of Money so by them advanced to each other as last aforesaid; and such Commissioners respectively are hereby required to repay such Sum or Sums of Money, without Interest, out of any disposable Monies or Funds under the Direction or Management of them respectively, but without Prejudice to any Security or Works to which such Monies or Funds may be respectively applicable.

Nene Outfall and *North Level* Commissioners to repay Sums advanced respectively.

XXII. Provided also, and be it further enacted, That nothing in this Act contained shall authorize the said Commissioners of the *Nene Outfall* to assess, rate, tax, or charge any Lands or Grounds, or any Owner or Occupier, or other Person, in respect thereof, with any Rate, Tax, or Sum of Money for any of the Purposes of this Act, other than such several Lands, Grounds, Owners, Occupiers, and other Persons

Nene Outfall Commissioners not to charge any Lands with Taxes except such as

respec-

are liable to
be charged
by the Nene
Outfall Act.

respectively as are by the said recited Act passed in the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth liable to be assessed, rated, taxed, or charged with the several yearly Acre Rates or Taxes by the said last-mentioned Act authorized to be charged by the said Commissioners at their several yearly General Meetings as therein mentioned.

Provision
for making a
Channel
from the
Lutton Leam
Sluice to the
Nene Outfall
Cut.

XXIII. And whereas the making of the *Nene Outfall Cut* directed to be made by the said recited Act of the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth has rendered necessary some Provision for the better Discharge of the Waters passing through the *Lutton Leam Sluice* into the open Bay or Estuary called *Sutton Wash*, from an extensive Tract of Land reputed to contain upwards of Ten thousand Acres, situate in the several Parishes of *Fleet*, *Gedney*, *Sutton Saint Nicholas* otherwise *Lutton*, and *Sutton Saint Mary*, in the County of *Lincoln*, and it is just and expedient that the Expence of making such Provision should be borne and defrayed as herein-after mentioned; be it therefore further enacted, That His Majesty's Commissioners of Sewers for the County of *Lincoln*, acting in and for the Hundred of *Elloe* in the Parts of *Holland* in the said County, shall and they are hereby required, under the Direction and to the Satisfaction of the Civil Engineer for the Time being employed by the said Commissioners of the *Nene Outfall*, to make a clear and open Channel of sufficient and adequate Width and Depth, and with proper and sufficient Foreshores, and as near as may be in a direct Line from the said *Lutton Leam Outfall Sluice* unto and into the said *Nene Outfall*, so as to admit of a free Passage of the Waters from the said *Lutton Leam Sluice* into the said Cut, without Injury or Prejudice to the said Cut, or to the Passage of the Waters from the said *North Level Sea Sluice* into and through the same to Sea.

Apportion-
ment of
Expence for
Lutton Leam
Channel.

XXIV. And be it further enacted, That the President and Governors of *Guy's Hospital* shall contribute and they are hereby charged and made liable to One Third Part of the Expence of making the said open Channel or Communication between the said *Lutton Leam Sluice* and the said *Nene Outfall Cut* so directed to be made as aforesaid; and that the said *Nene Outfall* Commissioners shall and they are hereby authorized and required, by and out of any Monies received or receivable by them under or by virtue of the said Act of the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth, or this Act, to contribute and pay One other Third Part of the Expence of making the said open Channel or Communication between the said *Lutton Leam Sluice* and the said *Nene Outfall Cut* so directed to be made as aforesaid; and that His Majesty's Commissioners of Sewers for the said County of *Lincoln*, acting in and for the said Hundred of *Elloe*, shall and they are hereby authorized and required to direct and empower the several Dike-reeves of and for the said several Parishes of *Fleet*, *Gedney*, *Sutton Saint Nicholas* otherwise *Lutton*, and *Sutton Saint Mary* aforesaid, from Time to Time to raise and levy the remaining One Third Part of the said Expence of making the said open Channel or Communication between the said *Lutton Leam Sluice* and the said *Nene Outfall Cut* in the same Proportions as the said several Parishes do now contribute

tribute towards the Expence of maintaining the *Lutton Leam Drain*, and in the same Way and Manner, and with the same Powers for levying and recovering Payment of the same, as is or are possessed by or usually given to such Dikereeves for the Collection of the Rate commonly called the Dikereeve Rate, applicable to the Expence of the Works of Drainage in those Parishes or some Parts of the same Works.

XXV. And be it further enacted, That it shall be lawful for the said *North Level* Commissioners, and they are hereby authorized, in their Discretion, from Time to Time, when and as often for such Time or Times only, as they shall think proper, to permit Lighters, Boats and other small Vessels to pass upon and along all or any Part of the *North Level* Interior Drains, and through the Two Sluices at *Clows Cross* aforesaid, to be severally made, erected, executed, or used under the Authority of the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, and to be haled by and along the Banks of the said Interior Drains or the Forelands thereof, and as well to allow or prevent and regulate the Admission or Abstraction and Passage of the Waters, as to protect the Drainage of the Lands, and for all other Purposes, with, under and subject to all such and the same several Powers, Authorities, Regulations, Conditions, Restrictions, and Provisions, so far as they shall be respectively applicable, in relation to the said several Interior Drains and *Clows Cross* Sluices as are in and by the said last-mentioned Act given, provided, declared, and contained in relation to the said *North Level* Main Drain and the Banks and Forelands thereof, and the said *North Level* Sea Sluice: Provided always, that no Obstruction, Impediment, or Injury shall be thereby occasioned to the free Passage of the Waters along and through the said several Interior Drains and *Clows Cross* Sluices, or any of them, for the Purposes of Drainage, or to the Drainage of any of the Lands within the said *North Level* and *Great Portsand* in any Manner howsoever: Provided also, that the Water shall not be raised in any of the said Interior Drains to the Prejudice of any of the said Lands or the Drainage thereof; and provided also, that nothing herein contained shall be construed to extend to prevent any Person or Persons who now is or are or hereafter shall be entitled to admit or take Water from any of the Rivers or Drains within the said *North Level* or *Great Portsand* into their respective Lands or Ditches, for the Use of their Lands, or of the Stock or Cattle thereon, from admitting and taking in the same, as fully and amply as such Persons respectively now are or hereafter may be lawfully entitled to do.

Power for the Commissioners to permit Vessels to pass along the Interior Drains and through the *Clows Cross* Sluices.

XXVI. And whereas by the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, it was enacted, that it should be lawful, as well for all Bodies, Persons, and Parties therein specified, as for all other Persons whomsoever who should be seised, possessed, entitled, or interested of, to, or in any Lands or Buildings which should be wanted for any of the Purposes of the said now reciting Act, or of, to, or in any Tithes, whether great or small, or Modus or Composition in lieu thereof, which should be issuing or payable from or out of any such Lands, to contract with the said *North Level* Commissioners, or their said

Provision for the Tithes of Lands taken by the *North Level* Commissioners, in lieu of Mode of Compensation under 11G.4. c.53.

[Local.]

20 A

Committee

Committee for the Time being, for the Sale of such Lands, Buildings, or Tithes respectively, and every or any Part thereof, to the said Commissioners, or to agree with the said Commissioners or their said Committee for any Compensation to be made by the said Commissioners for any Damage which should be done to any such Lands, Buildings, or Tithes, in the Execution of any of the Works by the said now reciting Act authorized to be made; and it should be lawful for the said *North Level* Commissioners and they were thereby authorized and required to contract with the said several Bodies, Persons, and Parties respectively, for the Purchase of such Lands, Buildings, and Tithes respectively: And whereas the several Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand*, and several other Lands comprised within the Provisions of the said last-recited Act, will be much improved in their Value by the Execution of the Works provided for by the same Act, and the Owners of or Persons entitled to receive Tithes from or in respect of such Lands will derive great Benefit therefrom in the improved Value of their said Tithes, without contributing to the Expence of the said Works; and it is just and reasonable that, instead of Compensation being made to the several Parties entitled to receive such Tithes in the Manner provided by the said last-mentioned Act, a yearly Commutation in Money for the said Tithes should be paid to the said several Parties, according to the Computation and subject to the Deduction herein-after mentioned and provided; be it therefore further enacted, That notwithstanding any thing in the said recited Act of the Eleventh Year of the said late King *George* the Fourth contained to the contrary, a yearly Commutation in Money for the several Tithes, and Compositions and Payments in lieu thereof, which have been heretofore issuing or payable from or out of the several Lands already taken, cut, or used, or hereafter to be taken, cut, or used by the said *North Level* Commissioners, under the Authority of the said last-mentioned Act, for any of the Works or Purposes of the said *North Level*, shall, from Time to Time, and at all Times after the passing of this Act, be yearly paid and payable by the said *North Level* Commissioners, for and in respect of the said several last-mentioned Lands in the respective Parishes, Hamlets, or Places wherein the same respectively lie, to the several Bodies, Persons, and Parties who now are or for the Time being shall be respectively entitled to the said respective Tithes, Compositions, or Payments issuing or payable from or out of the said Lands respectively, or who would have been entitled to such Tithes, Compositions, or Payments in case such Lands respectively had not been so taken, cut, or used by the said Commissioners, the said yearly Commutation in Money to be computed according to the average yearly Amount for the Seven Years immediately preceding and up to the Eleventh Day of *October* last past before the passing of this Act of the yearly Sums by the Acre which have been yearly paid, or due and payable, as Compositions or otherwise, for or in lieu of Tithes, to the several Bodies, Persons, or Parties respectively entitled thereto, in the respective Parishes, Hamlets, or Places in which such Lands respectively lie, but subject nevertheless to a Deduction from such average yearly Amount of Three Shillings for every Twenty Shillings thereof,

and so in proportion for any less Sum than Twenty Shillings; and in all Cases wherein Tithes shall have been rendered or taken in Kind in any such Parish, Hamlet, or Place, then the yearly Commutation to be paid in lieu thereof by the said *North Level* Commissioners to the several Bodies, Persons, and Parties respectively entitled thereto shall be paid according to the average yearly Value of such Tithes for the said last Seven Years, to be computed according to the Compositions or Payments by the Acre for any adjoining Lands, but subject nevertheless to the like Deduction therefrom; and in all Cases wherein more than One Body, Person, or Party are or shall be entitled to any such Tithes, Compositions, or Payments, then the Proportions of the said yearly Commutation in Money to be hereafter paid by the said *North Level* Commissioners to the said respective Bodies, Persons, and Parties, for or in respect of such Tithes, Compositions, or Payments, shall be adjusted and settled by and between the said Commissioners and the several Parties who at the Time shall be entitled to such last-mentioned Tithes, Compositions, or Payments, or any Parts or Proportions thereof respectively, and they are hereby respectively authorized fully and finally to treat and agree for such respective Commutations and Proportions thereof as aforesaid; and in case any Difference shall arise between the said *North Level* Commissioners and any of the said several Bodies, Persons, or Parties, or between any Two or more of the said several Bodies, Persons, or Parties, respecting any such Tithe Composition or Payment, or any Commutation in Money to be made or paid in lieu thereof, under the Provisions herein contained, or any Part or Proportion thereof, or any Deduction therefrom, or any Matter relating thereto, every such Difference, and such respective Tithes, Compositions, Payments, Commutations, and Parts and Proportions thereof and Deductions therefrom respectively, respecting which such Difference shall arise, shall be settled, assessed, and determined by a Jury in the Manner and according to the Provisions contained in the said recited Act of the Eleventh Year of the Reign of the said late King *George* the Fourth, respecting the Purchase of any Lands, Tithes, or Hereditaments, or the Compensation to be made for any Damage done thereto; and every such Commutation in Money which shall be so agreed upon or assessed and determined as aforesaid shall at all Times be good, valid, binding, and conclusive upon all Bodies, Persons, and Parties interested therein, or in the Tithes, Compositions, or Payments in respect of which the same shall be made, and upon their respective Successors, Heirs, Executors, and Administrators, and when so agreed upon or assessed and determined as aforesaid shall at all Times be paid, subject to such Deduction as aforesaid, and without any Variation, by the said *North Level* Commissioners, to the several Bodies, Persons, and Parties for the Time being respectively entitled thereto, by yearly Payments on the Eleventh Day of *October* in every Year; and the first Payment thereof respectively shall be made on the Eleventh Day of *October* next after the passing of this Act, for and in respect of all such Lands as have been already taken, cut, or used by the said *North Level* Commissioners, and on the Eleventh Day of *October* which shall first happen after any of the said Lands shall be taken, cut, or used by the said Commissioners for any of their Works or
Purposes

Purposes after the passing of this Act, for and in respect of such last-mentioned Lands; and the same yearly Commutations in Money shall from Time to Time be a Charge upon the several Banks and Forelands belonging to the said *North Level* Commissioners lying in the respective Parishes, Hamlets, or Places within which such Commutations shall respectively be due and payable, and upon the Rents, Profits, and Proceeds thereof; and in default of Payment thereof for the Space of Thirty Days next after the same shall respectively become due, the same being first demanded by or on behalf of the respective Parties entitled thereto, from the Clerk or Treasurer of the said *North Level* Commissioners, may be recovered by Distress and Sale of any Stock, Cattle, Goods, or Chattels upon the said respective Banks and Forelands whereon the same are or shall be so charged as aforesaid, or upon any Part thereof, in the same Manner as Rents reserved upon common Demises may be recovered; and such several yearly Commutations in Money, subject to such Deduction as aforesaid, shall at all Times hereafter be made and paid by the said *North Level* Commissioners, and accepted by the said several Bodies, Persons, and Parties now respectively entitled to take or receive Tithes in Kind, or any Compositions or Payments in lieu thereof, as aforesaid, and by their respective Successors, Heirs, Executors, Administrators, and Assigns, in lieu of and full and final Satisfaction for all such Tithes, Compositions, and Payments issuing or payable from, out of, for, or in respect of all and every or any of the said Lands so taken, cut, or used, or to be taken, cut, or used, by or under the Authority of the said *North Level* Commissioners, for any of their Works or Purposes, under the Authority of any of the said recited Acts, and in lieu of and full and final Satisfaction for all and every Compensation by the said Acts or any of them directed, provided, or intended to be made or paid by the said *North Level* Commissioners, for the Purchase of the Tithes of such last-mentioned Lands respectively, or for any Damage done thereto, any thing in the said last-mentioned Act contained to the contrary thereof notwithstanding.

The Main Drain not to be subject to Parochial or Drainage Assessments or Sewers Rates, but all the Banks, Forelands, and Soak and Fence Ditches to be subject thereto.

XXVII. And whereas by the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth it was enacted, that the said *North Level* Commissioners, after they should become possessed, for the Purpose of making the said Main Drain and the Banks and Forelands thereof, and the Soak and Fence Ditches thereto, of any Lands which immediately before the passing of the said Act were assessed or charged in or to any Parochial or Drainage Assessments or Sewers Rate in or for any Parish, District, or Place, should be subject and liable from Time to Time to be assessed and charged in and to the several Parochial and Drainage Assessments and Sewers Rates to be thereafter made or laid in or for such Parish, District, or Place respectively, for or in respect of so much and such Part or Parts of the said Lands respectively as should be taken or used by them the said Commissioners for making the said Main Drain, at such and the same Rate and Rates by the Acre as the several Lands in the same Parish, District, or Place adjoining to and lying on each or either Side of the said Main Drain, Banks, Forelands, and Soak and Fence Ditches should from Time to Time be assessed and charged at, but should not at any Time be subject or liable to be

be charged or assessed in or to any such Assessment or Rate as aforesaid to any greater Extent than as aforesaid, for or in respect of the said Main Drain or any Part thereof, or for or in respect of the said Banks, Forelands, and Soak and Fence Ditches, or any of them, or any Part thereof respectively, or for or in respect of any of the Works of Drainage or Navigation to be made or executed under the Authority of the said last-mentioned Act, or for or in respect of any Taxes, Assessments, Tolls, Rents, Revenues, or Funds to be raised or received by them in such respective Parishes, Districts, and Places under the Authority of the said Act, nor should they at any Time be subject or liable to be assessed or charged in or to any such Assessment or Rate as aforesaid, for or in respect of the said several Lands, Drains, Works, and other Matters and Premises aforesaid, or any of them, to any greater Extent in the whole than such several Lands of which the said Commissioners should so become possessed as aforesaid were respectively charged or assessed at in such respective Parishes, Districts, and Places previous to the passing of the said Act; and that the Amount of such several Assessments and Charges with which the said Commissioners should be so from Time to Time assessed and charged as aforesaid should and might be levied and recovered by the several Parties entitled to assess and charge the same respectively in the Manner in the said now reciting Act mentioned: And whereas it is just and reasonable that the said Main Drain and the Slopes thereof should be exempted from such Parochial and Drainage Assessments and Sewers Rates as aforesaid, and that certain Parts of the Banks and Forelands of the said Main Drain, and of the Soak and Fence Ditches thereto, which at the Time of the passing of the said last-mentioned Act were not subject or liable to any of the said Parochial or Drainage Assessments or Sewers Rates, and were by the Operation of the said Act exempted therefrom, should be made subject thereto in the Manner herein-after mentioned; be it therefore enacted, That notwithstanding any thing in the said last mentioned Act contained to the contrary, the said *North Level* Commissioners, or their Revenues or Funds, shall not at any Time or Times or in any Manner howsoever be subject or liable to pay or be charged or assessed with or to any Parochial or Drainage Assessment or Sewers Rate whatsoever, for or in respect of the said *North Level* Main Drain, or any Part thereof, or the Site thereof, or any Part thereof, or for or in respect of the Slopes of the said Drain, or any Part thereof, in any Parish, District, or Place whatsoever, but that the said *North Level* Commissioners shall be subject and liable from Time to Time to pay and to be charged and assessed with and to the several Parochial and Drainage Assessments and Sewers Rates to be hereafter made or laid in or for the several Parishes, Districts, and Places in or through which the said Main Drain is situate or passes, as well for and in respect of the several Parts of the Banks and Forelands of the said Main Drain, and Soak and Fence Ditches thereto, which in and by the said last mentioned Act are made subject and liable to such Parochial and Drainage Assessments and Sewers Rates respectively, as also for and in respect of the several Parts of the said Banks and Forelands of the said Main Drain, and Soak and Fence Ditches thereto, which by the said last-mentioned

[*Local.*]

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Act,

Act, or the Operation thereof, were exempted from or not made liable to such Parochial and Drainage Assessments and Sewers Rates respectively, and that all the said Banks, Forelands, and Soak and Fence Ditches, and every Part of the same respectively, shall from Time to Time be subject and liable to and be assessed and charged with and to the said Assessments and Rates respectively in the respective Parishes, Districts, and Places wherein the same are or shall be respectively situate, in such and the same Manner, and at such and the same Rates, and in such and the same and to no greater Extent, and with, under, and subject to such and the same Powers of Recovery and Proviso for Deduction, and such and the same other Limitations and Provisions in all respects, as are in and by the said last mentioned Act contained, enacted, provided, and declared, in relation to the said Banks, Forelands, and Soak and Fence Ditches, or Parts thereof, thereby subjected and made liable to such Parochial and Drainage Assessments and Sewers Rates respectively; any thing in the said last mentioned Act contained to the contrary thereof notwithstanding.

Explanation
of Power of
making
Branch
Drains.

XXVIII. And to remove all Doubts respecting the intervening Lands and Drains through or under which the said *North Level* Commissioners are by the said Act of the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth authorized and required to make and construct any Branch Drain or Drains to join and communicate with the said *North Level* Main Drain, or other Drain or Drains issuing into or connected with the said Main Drain, from the respective Lands of any Commissioners or Proprietors with whom the said *North Level* Commissioners shall, on such Petition as is mentioned in the said last-mentioned Act, agree, for taking, comprising, and including such Lands within the Drainage intended to be provided by the last-mentioned Act, for the Purpose of discharging the Waters from such Lands by means of a natural Drainage by and through the said *North Level* Main Drain and *North Level* Sea Sluice, to and into the said *Nene Outfall Cut*, pursuant to the Provisions of the said last-mentioned Act; be it further enacted, That it shall be lawful for the said *North Level* Commissioners, or their Committee, and they are hereby authorized and empowered, at the Costs and Charges of the several Commissioners or Proprietors by whom or on whose Behalf any such Petition as aforesaid shall be presented, to make, construct, and carry any Branch Drain or Drains for the Purpose last aforesaid, with the Banks, Forelands, and Works thereof, not only in, through, across, or under any intervening Lands, Banks, or Drains between the several Lands of the several Commissioners or Proprietors with whom any such Agreement as aforesaid shall have been made, but also in, through, across, or under any Lands, Banks, or Drains of any other Commissioners or Proprietors whomsoever lying either in the same Parish, District, or Place wherein the Lands to be taken, comprised, or included in such Drainage as aforesaid, or any of them, shall lie or be situate, or in any other Parish, District, or Place lying or intervening between the said last-mentioned Lands or any of them, and the said *North Level* Main Drain or any Part thereof, or any other Drain or

Drains

Drains issuing into or connected with the said Main Drain, in order to effect a Communication with the said Main Drain, or other Drain or Drains, and to convey and discharge the Waters from the said several Lands in respect of which any such Agreement shall have been made as aforesaid by the most convenient Course into the said Main Drain: Provided always, that an Agreement shall be previously made with the Owners and Occupiers of such intervening Lands in the Manner directed by the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth; and if such Agreement cannot be made, then it is hereby further provided that a Jury shall be impannelled and Satisfaction shall be made in the Manner directed by the said last mentioned Act: Provided also, that it shall not be lawful for any Commissioners, Bodies, Parties, or Persons interested in any such Branch Drain or Drains, to permit or suffer the Waters running or flowing therein at any Time to run or flow at such Height in the said Branch Drain or Drains as shall over-ride any of the adjoining or neighbouring Lands through or near to which such Branch Drain or Drains shall be made, constructed, or carried, and thereby, by means of Soakage or otherwise, prove injurious to the said last-mentioned Lands, or any of them.

XXIX. And to the end that the North Bank of *Moreton's Leam* may not be injured, nor the Security of the said *North Level* be endangered by any Obstruction to the Passage of the upland Waters to the Town of *Wisbech*, and thence by the said *Kinderley's Cut* and *Nene Outfall Cut* to Sea, be it further enacted, That it shall not be lawful for any Person or Persons whomsoever to erect or cause to be erected, or assist in erecting, any Building or Erection whatsoever upon any Part of the several Marshes, Foreshores, or Forelands lying between the Two Defence Banks of the River extending from a Place called *Guyhirn Corner*, at the East End of *Moreton's Leam Wash*, to the Boundary of the Port of *Wisbech* at a Place called *Bevis Hall*, nor to enclose or fence or take in, or to cause to be inclosed or fenced or taken in, or to aid or assist in enclosing or fencing or taking in, by Mounds, Hedges, Ditches, Cesses, or otherwise, any Part or Parts of the said Marshes, Foreshores, or Forelands, or to do or cause to be done, or assist in doing, any other Act whatsoever whereby the free and uninterrupted Passage of the upland or other Waters from the said *Moreton's Leam Wash*, or from *Moreton's Leam* or *Smith's Leam*, running through the same, can or may be prevented, impeded, or obstructed in any Manner howsoever, without the Consent of the said *North Level* Commissioners, to be testified in Writing pursuant to an Order for that Purpose to be made at One of their Meetings; and if any Person or Persons shall at any Time or Times offend in any of the respects aforesaid, he, she, or they shall forfeit for every such Offence any Sum of Money not exceeding the Sum of Twenty Pounds, in the Discretion of the Justice or Justices by or before whom he, she, or they shall be convicted of such Offence, the same to be adjudged, levied, raised, and applied in such and the same Manner as any Penalty imposed by the said recited Act of the Eleventh Year of the Reign of the said late King *George*

Power for
North Level
Commis-
sioners
to remove
Obstructions
to the Pas-
sage of the
Waters be-
tween Guy-
hirn Corner
and Bevis
Hall.

George the Fourth, in respect of which no special Provision is made by the said last-mentioned Act, may be adjudged, levied, raised, and applied under the Authority of the said last-mentioned Act; and the said *North Level* Commissioners, and their Committee, Officers, Agents, and Servants, and every of them, are and is hereby fully authorized and empowered from Time to Time, with such Labourers and Assistants as they or he may think necessary, to take down, prostrate, level, and remove all such Buildings, Erections, Mounds, Hedges, Ditches, Cesses, or other Impediments or Obstructions to the Passage of the Waters as aforesaid, as shall have been made, erected, raised, or constructed without such Consent as aforesaid, and shall not be liable to make any Compensation or Allowance to any Person or Persons whomsoever for the same, or for any of the Materials thereof, or for any Damage that may be done thereto.

Saving of
existing
Rights.

XXX. Provided always, and be it further enacted, That the Enactment or Provision last herein-before contained shall not extend or be construed to extend to defeat, invalidate, lessen, alter, take away, or in anywise howsoever prejudice any of the Jurisdictions, Rights, Powers, Privileges, or Authorities given, granted, appertaining, or belonging to or vested in, or at any Time heretofore exercised, used, or enjoyed by, the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or the Commissioners acting under the Acts of Parliament passed for the Drainage of the Lands lying in *Wisbech Northside*, called the *Wisbech Northside* District, or the Commissioners acting under the Acts of Parliament passed for the Drainage of the Lands lying in *Great* and *Little Waldersey*, in the Parishes of *Wisbech Saint Peter's* and *Elm* in the said Isle of *Ely*, called the *Waldersey* District, or the Commissioners acting under or by virtue of any Act of Parliament passed for the Drainage of any District or Lands or Grounds in the Isle of *Ely*, or the Trustees acting under any Act of Parliament for amending or repairing the Roads leading from *Chatteris* Ferry, through *Chatteris* and *March*, to *Wisbech Saint Peter's* aforesaid, or any of them, or the Proprietors of Lands severally situate in *Great* and *Little Waldersey* aforesaid, and in *Wisbech Southside* and *Elm Westside*, in the Parishes of *Wisbech Saint Peter's* and *Elm* aforesaid, or any of them, or any Expenditors, Dikereeves, Surveyors, Servants, or other Officers employed by or acting under any of the Commissioners, Trustees, or Proprietors aforesaid, in, through, upon, or over the several Marshes, Foreshores, or Forelands lying between the Two Defence Banks of the River aforesaid, or any Part thereof, either in or for the Purpose of cutting, digging, taking, carrying away, and using Cesses, Sods, Turves, Earth, Sand, Silth, or other Materials of and from the same Marshes, Foreshores, and Forelands, or any Part thereof, for and towards repairing, raising, heightening, widening, strengthening, and supporting the Two Defence Banks aforesaid, or either of them, or the Continuation of the same Banks respectively on either Side of the said River, downwards to the Town of *Wisbech Saint Peter's* aforesaid, or any other Bank or Banks whatsoever, under the Power, Superintendence, Controul, or Direction of the Commissioners, Trustees, or Proprietors respectively aforesaid, or
any

any of them, or their or any of their Expenditors, Dikereeves, Surveyors, Servants, or other Officers, or in or for any other Purpose whatsoever; but that all and every the same Jurisdictions, Powers, Rights, Privileges, and Authorities so belonging to or vested in, or exercised, used, or enjoyed by the said Commissioners, Trustees, Proprietors, Expenditors, Dikereeves, Surveyors, Servants, and other Officers respectively as aforesaid, or any of them, at any Time before the passing of this Act, shall remain, continue, and be, to all Intents and Purposes, as full, ample, and beneficial as if this Act or any thing herein contained had not been made or passed.

XXXI. Provided also, and be it further enacted, That all Rights, Royalties, Waifs, Estrays, Goods, Jurisdictions, Privileges, Powers, and Authorities whatsoever appertaining or belonging to any Lord or Lords, Lady or Ladies of any Manor or Manors, or any Owner or Owners of any Right or Rights of Common or Pasturage in, over, or upon the said several Marshes, Freeshores, and Forelands lying between the Two Defence Banks of the River aforesaid, shall be and the same are hereby saved and reserved to them, their Heirs, Successors, and Assigns, severally and respectively, any thing herein contained to the contrary thereof notwithstanding.

Rights of
Lords of
Manors and
Common
Right
Owners
reserved.

XXXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, lessen, alter, or affect in anywise howsoever any of the Jurisdictions, Powers, Rights, or Privileges belonging to or vested in the said Governor, Bailiffs, and Commonalty of the Company of Conservators, or the said Governor, Bailiffs, and Conservators of the Great Level of the Fens called *Bedford Level* (except so far only as is herein expressed, declared, or provided), but the same Jurisdictions, Powers, Rights, and Privileges so belonging to or vested in them respectively as aforesaid immediately before the passing of this Act (except as aforesaid) shall remain, continue, and be to all Intents and Purposes as full, ample, and beneficial as if this Act, or any thing herein contained, had not been made or passed.

Saving of
Rights of
Bedford
Level Cor-
poration.

XXXIII. Provided also, and be it further enacted, That the said Governor, Bailiffs, and Commonalty, and the said Governors, Bailiffs, and Conservators, shall be and they are hereby severally released, discharged, and indemnified, as well by the said *North Level* Commissioners as by their Committee, from and against charging, raising, levying, or providing any Funds or Monies whatsoever for making, executing, maintaining, or repairing any of the Works of or within the said *North Level* other than and except such several Taxes, Rents, Funds, or Revenues as are by the said recited Acts and this Act respectively charged or directed or authorized to be raised, levied; or provided for the said *North Level*, or the Works thereof, and which shall remain applicable to the said Works, after paying and satisfying the several Principal Monies and Interest to which the said Taxes, Rents, Funds, and Revenues are or shall be from Time to Time respectively liable by virtue of the said recited Acts

Indemnity to
the Bedford
Level
Corporation.

[*Local.*]

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and

and this Act, or any of them, and also from and against all Actions, Suits, Damages, Losses, Costs, Charges, and Expences which the said Governor, Bailiffs, and Commonalty, and Governor, Bailiffs, and Conservators, shall from Time to Time respectively incur, sustain, or be put unto for or concerning the Execution or Non-execution of any Works by the said recited Acts, or any of them, required to be done or executed by the said Governor, Bailiffs, and Commonalty, and Governor, Bailiffs, and Conservators respectively, for which the said applicable Taxes, Rents, Funds, and Revenues shall be insufficient; and the said Governor, Bailiffs, and Commonalty, or the said Governor, Bailiffs, and Conservators respectively, shall not at any Time or in any Manner be liable to see to the Application or be answerable for any Misapplication or Non-application of any of the Monies by this Act authorized to be borrowed and taken up at Interest, or any Part thereof.

Saving of
Rights of the
Cross Keys
Company.

XXXIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers, Privileges, or Authorities vested in the said Company of Proprietors of the *Cross Keys Bridge*, under or by virtue of the several Acts passed respectively in the Seventh and in the Seventh and Eighth Years of the Reign of His said late Majesty King *George* the Fourth, or either of them, for incorporating the said Company, and for enabling them to execute the Works therein mentioned; but all such Rights, Powers, Privileges, and Authorities shall remain, continue, and be in the said Company, as fully and amply, to all Intents and Purposes whatsoever, as if this Act had not been passed; and the said Company shall not, under or by virtue of any of the Powers and Authorities in this Act contained, be subject to any Liabilities whatsoever other than those to which the said Company were subject at or previous to the Time of passing this Act.

Saving
Rights of
Burgesses of
Wisbech.

XXXV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, alter, lessen, or affect in anywise howsoever any of the Jurisdictions, Powers, Rights, Privileges, or Revenues given, granted, appertaining, or belonging to the Burgesses of the Town of *Wisbech*, or their Capital Burgesses, except so far as the same are by this Act severally and respectively expressed to be taken away, defeated, invalidated, altered, lessened, or affected, and in so far as regards the several Powers and Authorities given and granted by this Act, which are to be exercised nevertheless with due Regard to such reserved Jurisdictions, Powers, Rights, Privileges, and Revenues.

Payment of
Expences of
this Act.

XXXVI. And be it further enacted, That the Costs and Charges of obtaining and passing this Act, and consequential thereon, and all other Costs, Charges, and Expences whatsoever preparatory or incidental to or concerning this Act, with all lawful Interest for all such Monies as shall have been paid or expended by any Person or Persons whomsoever on account thereof, shall be paid and discharged by the said Commissioners of the *Nene Outfall* by and out of the

first Monies that shall come into their Hands, or into the Hands of their Treasurer or Treasurers, after the passing of this Act, by virtue of this Act or of the said recited Acts, or any of them.

XXXVII. And be it further enacted, That this Act shall be and **Public Act.** shall be deemed and taken to be a Public Act, and shall be judicially taken notice of by all Judges, Justices, and others.

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