



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## Cap. cix.

An Act for improving the *North Level Drainage*,  
and for other Purposes relating to the Level.

[10th August 1857.]

**W**HEREAS an Act was passed in the Fifteenth Year of the  
Reign of King *Charles* the Second, intituled *An Act for  
settling the draining of the Great Level of the Fens called*  
Bedford Level, whereby it was enacted that *William* Earl of *Bedford*  
(Son and Heir of *Francis* 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 (commonly and herein-after called “the  
Corporation”), with Power to lay Taxes and do other Things for the  
Support, Maintenance, and Preservation of the said Great Level; and  
the said Act was amended, and the Powers thereof varied, by an Act  
passed in the Twentieth Year of the same Reign, intituled *An Act  
for the taxing and assessing of the Lands of the Adventurers within  
the Great Level of the Fens*: And whereas the said Great Level was  
afterwards and is now divided into and distinguished by the Names  
of the *North Level*, the *Middle Level*, and the *South Level*, and

Recital of  
Bedford  
Level Acts :  
15 C. 2. c. 17.

20 C. 2. c. 8.

Division of  
the Level,

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the

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the Boundary of the said *North Level* is stated in the Act next herein-after mentioned; And whereas an Act was passed in the Twenty-seventh Year of the Reign of King *George* the Second, intituled *An Act for discharging the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens commonly called Bedford Level from a Debt due to the Duke of Bedford and Earl of Lincoln, and for enabling the Proprietors of Lands in the North Level, Part of the said Great Level, to raise Money to discharge the Proportion of the said North Level in the Debts of the said Corporation, and for ascertaining and appropriating the Taxes to be laid on the said North Level, and for the more effectual draining and preserving the said North Level, and divers Lands adjoining thereto in the Manor of Crowland; and another Act was passed in the Eleventh Year of the Reign of King*

North Level Acts :  
27 G. 2. c. 19.

George the Third, intituled *An Act to enable the Corporation of the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called Bedford Level to complete and maintain the principal Banks and Works necessary to the well draining and preserving of 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; and another Act was passed in the Thirty-sixth Year of the same*

11 G. 3. c. 78.

Reign, intituled *An Act for laying an additional Tax upon the Lands within the North Level, Part of the Great Level of the Fens called Bedford Level, and on Portsand otherwise Great Porsand in the County of Lincoln, and for the further Support and Preservation of the principal Banks and Works of the said North Level; and another Act was passed in the Eleventh Year of the Reign of King*

36 G. 3. c. 73.

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; which Act was amended and the Powers thereof varied by the following Acts; namely, an Act passed in the First Year of the Reign of King William the Fourth, intituled*

11 G. 4. &  
1. W. 4. c. liii.

*An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, intituled*

1 W. 4.  
c. xxvii.

*' 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 Out-*

*' fall Cut;' and an Act passed in the Third Year of the same Reign,*

3 & 4 W. 4.  
c. lxxii.

*intituled 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*

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additional Funds for such Drainage and Improvement by the Nene Outfall Cut to Sea ; and an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the same Reign, intituled *An Act for altering and amending several Acts passed for improving the Outfall of the River Nene and the Drainage of the Lands discharging their Waters into the Wisbech River*: And whereas an Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for effecting the Drainage and Improvement of the Lands and Grounds lying in the late Great Common in Sutton St. Edmund's within the Parish of Sutton St. Mary otherwise Long Sutton in the County of Lincoln, and for authorizing the Drainage and Improvement of the Lands and Grounds lying in the late Little Common in Sutton St. Edmund's aforesaid*; and another Act was passed in the Fifty-second Year of the same Reign, intituled *An Act for draining, enclosing, and improving the Lands called Borough Fen Common and the Four Hundred Acre Common in the County of Northampton, and for forming the same into a Parish to be called Newborough, and for building and endowing a Church for such Parish*; and another Act was passed in the Thirteenth Year of the Reign of King George the Third, intituled *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*; which Act was amended by an Act passed in the Forty-eighth Year of the same Reign, intituled *An Act for amending and rendering more effectual an Act passed in the Thirteenth Year of His present Majesty 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, and for adding thereto certain other Lands in Tid Saint Mary's aforesaid lying contiguous to the Lands described in the said Act*, which last-mentioned Acts relate to the Drainage of the District commonly and herein-after called "The Tid and Newton District;" and another Act was passed in the Fifteenth Year of the same Reign, intituled *An Act for draining and preserving certain Lands and Grounds in the Parish of Wisbech Saint Peter's and Wisbech Saint Mary's, and in the Hamlets of Wisbech Murrow and Wisbech Guyhirn, in the Isle of Ely and County of Cambridge*; which Act was amended by an Act passed in the Forty-ninth of the same Reign, intituled *An Act for amending and rendering more efficient an Act passed in the Fifteenth Year of His present Majesty for draining and preserving certain Lands and Grounds in the Parishes of Wisbech Saint Peter's and Wisbech Saint Mary's, and in the Hamlets of Wisbech Murrow and Wisbech Guyhirn, in the Isle of Ely and County of Cambridge*, which last-mentioned Acts relate to the Drainage of the District commonly and herein-

6 & 7 W. 4.  
c. xcii.District  
Acts :  
49 G. 3.  
c. 119.52 G. 3.  
c. 143.

13 G. 3. c. 60.

48 G. 3. c. 23.

15 G. 3. c. 66.

49 G. 3. c. 43.

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41 G. 3. c. 73.

Division of the North Level and Great Portsand into Districts, with Provisions for appointing Commissioners, and for taxing the Lands within the same (except as therein mentioned).

Admission of "Tid and Newton," "Wisbech North Side," and "Leverington and Parson Drove" Districts into North Level Drainage, paying each an annual Contribution.

herein-after called "The *Wisbech* North Side District;" and another Act was passed in the Forty-first Year of the same Reign, intituled *An Act for draining and improving certain Lands and Grounds in the Parish of Leverington and Leverington Parson Drove in the Isle of Ely in the County of Cambridge*, which last-mentioned Act relates to the Drainage of the District commonly and herein-after called "The *Leverington and Parson Drove* District:" And whereas by the said Act of the Twenty-seventh Year of King *George* the Second the Lands in the said *North Level* and *Great Portsand* intended to be drained under the Powers of the same Act were divided into Five several Districts for the Purposes of Drainage, and the general Drainage of the said Districts was placed under the Management of Commissioners who were authorized to tax and charge with a Tax of Sixpence *per Acre* the Owners and Occupiers of all the Lands situate within the said Five several Districts, except the said Lands now forming the Parish of *Newborough*, and except that Part of the said *Sutton Common* which lay South of *Old South Eau*, and except certain other Lands therein mentioned; and by the said Act of the Eleventh Year of King *George* the Fourth the said Commissioners were continued by the Name of "The *North Level* Commissioners," with Authority to make a new Drain, to be called "The *North Level* Main Drain," from a Place called *Clows Cross* to the *Nene* Outfall Cut, and a new Sluice in the West Bank of the said Cut, to be called "The *North Level* Sea Sluice," and certain interior Drains for conveying the Waters of the said Five Districts to the said Main Drain at *Clows Cross*, and Two new Sluices at *Clows Cross*, and all the said Lands (except the Lands exempted from the said Tax of Sixpence *per Acre*, and except as in the same Act excepted) were taxed and charged with a yearly Tax of Three Shillings *per Acre* for the Purposes of the said last-mentioned Act, and the said excepted Lands in *Newborough* and in the said *Sutton Common* were charged with certain gross Contributions towards defraying the Costs of the Works thereby authorized to be executed; and under the Powers of the said last-mentioned Act the Lands lying in the said Districts called "The *Tid and Newton* District," "The *Wisbech* North Side District," and "The *Leverington and Parson Drove* District," were admitted into and have since been drained by the improved Drainage provided by the same Act, and the Commissioners of each of those Districts raise and pay an annual Contribution to the *North Level* Commissioners for the Use of such Drainage; (that is to say,) the Commissioners of the *Tid and Newton* District the Sum of One hundred Pounds *per Annum*, the Commissioners of the *Wisbech* North Side District the Sum of Two hundred and twenty-five Pounds *per Annum*, and the Commissioners of the *Leverington and Parson Drove* District the Sum of One hundred and seventy-five Pounds *per Annum*: And whereas an Act was passed in the Session of Parliament held in the Eleventh

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Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to improve the River Nene and Wisbech River, and the Drainage of Lands discharging their Waters into the same*, under the Powers of which Act the Lands lying in *Sutton Saint Edmund's* in the County of *Lincoln*, on the North Side of a certain Bank commonly called *South Eau Bank*, were admitted into and have since drained by the Drainage provided by the said Act of the Eleventh Year of King *George the Fourth*, on Payment to the said *North Level Commissioners* of an annual Contribution of Two hundred Pounds for the Use of such Drainage: And whereas it is found that the said *North Level Main Drain* and Sea Sluice, authorized by the said Act of the Eleventh Year of King *George the Fourth* to be and since made, are inadequate for the Purpose of effectually draining the Lands lying in the said Five Districts of the *North Level* and *Great Portsand*, together with the said other Lands draining by the said *North Level Main Drain*, and it is considered necessary for such Purpose to construct a new Outfall Sluice in addition to or in lieu of the said existing Sea Sluice, and to make a new Cut for the Passage of the Waters, or some Part thereof, from the said Main Drain through such new Sluice into the said *Nene Outfall Cut*, and to enlarge the said Main Drain, Plans and Sections of which Works, with a Book of Reference to the said Plans, have been deposited at the Offices of the Clerks of the Peace for the *Isle of Ely* and for the Parts of *Holland* in the County of *Lincoln*, and it is expedient that Provision should be made for defraying the Costs of making and maintaining such new Works in the Manner herein-after mentioned: And whereas under the Provisions of the said Act of the Eleventh Year of King *George the Fourth* the said Main Drain is navigable, and it is expedient to make the said intended new Cut also navigable: And whereas the Corporation has ceased to take any active Part in the Drainage of the said *North Level* and *Great Portsand* beyond appointing Superintendents of the Banks known as the *North Bank of Morton's Leam* and the *South Bank of the River Welland* from the *Folly Bank* to the West Dam at the End of *Crowland Town*, and auditing their Accounts and receiving the Taxes on the Lands commonly called "the Adventure Lands" in the said *North Level*, and accounting for the same to the *North Level Commissioners*, and also appointing Receivers of certain Taxes imposed on the said *North Level* and *Great Portsand* under the said Acts of the Eleventh and Thirty-sixth Years of King *George the Third*; and it is expedient to transfer to and vest in the said *North Level Commissioners* all the Powers and Duties of the said Corporation, so far as concerns the said *North Level* and *Great Portsand*, and also the Revenues and Estates received and held by the said Corporation, for the Use or Purposes of the said *North Level* and *Great Portsand*; and it is expedient that other Provisions should be made with regard to the several Objects

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aforesaid

11 & 12 Vict. c. cxliii., Nene Improvement Act, and Admission of Sutton Saint Edmund's into the Drainage, paying an annual Contribution. Insufficiency of the North Level Drainage.

Extension of Navigation.

Expediency of transferring the Powers of the Bedford Level Corporation in the North Level.

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aforesaid; but inasmuch as the Authority of Parliament is necessary for the Purposes aforesaid, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Short Title. I. In citing this Act for any Purpose it shall be sufficient to use the Expression "*The North Level Act, 1857.*"

8 & 9 Vict. cc. 18. & 20. incorporated. II. The Clauses and Provisions of "*The Lands Clauses Consolidation Act, 1845,*" and the Clauses and Provisions of "*The Railways Clauses Consolidation Act, 1845,*" with respect to the temporary Occupation of Lands near the Railway during the Construction thereof, or such of them as shall be applicable to this Act, shall be respectively incorporated with and form Part of this Act; and in the Clauses of the said "*Railways Clauses Consolidation Act, 1845,*" incorporated with this Act, the Word "*Company*" shall apply to and mean the *North Level Commissioners*, and the Word "*Railway*" apply to and mean the Works to be executed under this Act.

Power to execute Works according to deposited Plans.

III. It shall be lawful for the said *North Level Commissioners* and they are hereby authorized and required, as soon as conveniently can be after the passing of this Act, to set out and with all convenient speed to make and complete and at all Times thereafter efficiently maintain a new Outfall Sluice, to be called "*The North Level new Outfall Sluice,*" on the North Side of the present *North Level Sea Sluice*, with all necessary Appendages thereto, and a new Cut for the Passage of the Waters, or some Part thereof, from the said *North Level Main Drain* into and through the said new Outfall Sluice into the *Nene Outfall Cut*, and to deepen, widen, and enlarge the said Main Drain according to the said Plans and Sections so deposited as aforesaid, and to alter the existing Banks and Forelands, and Soak and Fence Ditches, by and along and at the Back of the said Main Drain, or wholly or partially to remove the same, and to make and complete new, proper, and sufficient Banks and Forelands and Soak and Fence Ditches in lieu thereof, and to divert and convey the Waters, or some Part thereof, from the said Main Drain into and through the said new Sluice into the said *Nene Outfall Cut*, and to sell or let the existing Sluice House and Premises near the said *North Level Sea Sluice*, and to build a new Sluice House and other Conveniences between the said existing Sluice House and the said intended new Sluice, and to execute all such other Works as may be necessary or proper in consequence of the Execution of the Works herein-before mentioned, or any of them, or for rendering the said Main Drain and Works of the said Commissioners more effectual and complete for  
Drainage

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Drainage Purposes, and from Time to Time and at all Times thereafter to maintain the said several Works when completed, or such of them as are by this Act vested in the said *North Level* Commissioners, and for the Purposes aforesaid to enter upon, take, and use such of the Lands delineated on the said Plans and described in the said Book of Reference as shall be required for the said Works, making full Compensation for the Value of the said Lands to the Owners and Occupiers thereof, and also Compensation for all Damage which the said Owners and Occupiers or other Parties may sustain by reason of the Exercise, with respect to the said Lands, of the Powers of this Act; and such Compensation shall be determined in the Manner prescribed by "The Lands Clauses Consolidation Act, 1845," for determining Questions of Compensation.

IV. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the Plans or Book of Reference deposited as aforesaid, it shall be lawful for the said *North Level* Commissioners, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of such Omission, and in what respect any such Matters shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace for the *Isle of Ely*, or for the Parts of *Holland*, as the Case may be; and such Certificate shall be kept by such Clerk of the Peace along with the other Documents to which the same relates; and thereupon the said Plans and Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the said *North Level* Commissioners to execute the Works in accordance with such Certificate.

Errors in Plans, &c. may be corrected by Two Justices, who shall certify the same.

Certificate to be deposited.

V. It shall be lawful for the said *North Level* Commissioners, and their Agents, Servants, and Workmen, to enter upon any Lands upon or through which the said Works are intended to be made or to pass, and also upon any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying into execution the Purposes of this Act, and also from Time to Time to construct and make all necessary Walls, Banks, Dams, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for the making, completing, amending, and maintaining the said Works, doing as little Damage as may be, and making full Satisfaction to the respective

Power to set out Works.

Owners

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Owners and Occupiers of all Lands which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

Powers of Deviation.

VI. In making the Works by this Act authorized the said *North Level* Commissioners shall have Power to deviate from the Line delineated on the said Plans, provided that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated on the said Plans, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in the Manner herein-before provided for in Cases of unintentional Errors in the said Book of Reference.

Provision as to Lands, &c. belonging to J. Hannath and others.

VII. In making the Works by this Act authorized the said *North Level* Commissioners shall not take or make use of any Land belonging to *Joseph Hannath* of *Tid Saint Giles* aforesaid, or to any other Person, situate within the Distance of One hundred and fifty Yards from the Dwelling House of the said *Joseph Hannath*, and if they shall require to take down his Occupation Bridge across the said *North Level* Main Drain, they shall reconstruct and at all Times thereafter repair and maintain another Bridge in lieu thereof, equally convenient in all respects with the present Bridge, and as near to the Site thereof as practicable.

Previously to commencing new Outlet and Sluice into the River Nene, Plans, &c. to be deposited at the Admiralty.

VIII. Previously to commencing the new Outlet and Sluice at the *River Nene*, or the Works connected therewith, or any Work affecting tidal or navigable Water, the *North Level* Commissioners shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Outlet and Sluice and Works for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Outlet and Sluice and Works shall be constructed only in accordance with such Approval; and when any such Outlet and Sluice and Works or any of them shall have been commenced or constructed, it shall not be lawful for the *North Level* Commissioners at any Time to alter or extend the same or any of them without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Outlet and Sluice or Works, or any of them, shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High



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High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the *North Level* Commissioners, and the Amount thereof shall be a Debt due from the *North Level* Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit: Provided nevertheless, that the *North Level* Commissioners shall not be required to construct the said new Sluice with Gates for penning, or with greater Facilities for Navigation than are now afforded at the existing *North Level* Sluice.

IX. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the *North Level* Commissioners or of the intended Site thereof, the *North Level* Commissioners shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the *North Level* Commissioners, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of the Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the *North Level* Commissioners.

Admiralty may order a local Survey at Expense of Commissioners.

X. If any Work requiring the Approval of the said Lord High Admiral, or the said Commissioners for executing the Office of the said Lord High Admiral, to be constructed by the *North Level* Commissioners, be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the *North Level* Commissioners, and the Amount thereof shall be a Debt due from the *North Level* Commissioners to the Crown, and be recoverable accordingly with Costs of Suit.

If Works requiring the Approval of the Admiralty abandoned, &c., they may remove the same at Expense of Commissioners.

XI. The new Outfall, Sluice, Cut, and all other the Works hereby authorized to be made and executed (when completed and certified as complete by the Civil Engineer or Engineers having the Direction of the same) shall be deemed to be Part of the Drainage and other Works authorized to be made and executed by the said Act of the Eleventh Year of King *George* the Fourth, and as such the same shall then be and thenceforth remain vested in the said *North Level* Commissioners and their Successors for the Time being, who shall at all Times, by themselves or their Committee, have full Authority and Control over the same, and all their Appendages and Appurtenances; and all the Powers and Authorities conferred by the same Act on the

New Works to vest in the *North Level* Commissioners.

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*North Level* Commissioners for the making, maintaining and preserving, and ordering and controlling of the Works of Drainage and other Works thereby vested in them, shall apply to and include the said Sluice, Cut, and other Works hereby authorized to be made and executed or altered: Provided nevertheless, that all Bridges over the said Main Drain which may be renewed or altered by the said Commissioners in executing the Works by this Act authorized shall, when completed and certified as aforesaid, be thenceforth maintained and kept in repair by the same several Persons and Parties respectively as are now respectively liable to maintain and repair the same under the Provisions of the said Act of the Eleventh Year of King *George* the Fourth, or otherwise.

Power to  
discontinue  
present Sea  
Sluice if and  
when found  
to be unne-  
cessary.

XII. If at any Time hereafter it shall appear to the said *North Level* Commissioners unnecessary to continue the existing *North Level* Sea Sluice, it shall be lawful for the said Commissioners to discontinue the same, and to sell and dispose of the Materials thereof, and the Moneys to be produced by any such Sale, after Payment of all Costs and Expenses, shall be applied by the said Commissioners for the Purposes of this Act.

Power to  
admit Navi-  
gation on  
Main Drain  
when altered.

XIII. 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 and for such Time or Times only as they shall think proper, to admit a Navigation upon and along the said Main Drain when enlarged, and the said new Cut, and through the said new Sluice, in like Manner as upon and along the said Main Drain in its existing State and through the existing Sluice under the Provisions of the said Act of the Eleventh Year of King *George* the Fourth, and with all the same Powers and Authorities to make and alter Byelaws, and of Control, Regulation, and Restriction, and otherwise concerning such Navigation, as in the said Act contained or authorized and provided, and the same Restriction against haling by Horses or other Animals over or upon the existing Sluice in the same Act contained shall extend and apply to the said new Sluice; and the Power to demand and receive and recover Navigation Tolls, and all other Powers and Provisions contained in the same Act with respect to the Navigation along the said Main Drain thereby authorized to be executed, shall apply to the said new Cut hereby authorized and the said Main Drain when so enlarged as aforesaid; and the Tolls so received by the said *North Level* Commissioners shall be applied by them for the Purposes of the said recited Act of the Eleventh Year of the Reign of King *George* the Fourth.

Power to  
supply fresh  
Water.

XIV. It shall be lawful for the said *North Level* Commissioners, at such Time or Times and under and subject to such Regulations as they

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they shall think expedient, but without demanding or receiving any Payment or Compensation for the same, to supply any Lands or Drains adjoining to or communicating with the said Main Drain, or with any other Drains or Watercourses of the said Commissioners, with Water from the said Drains respectively, or any of them, for the Use of the said Lands, or of any Stock or Cattle thereon.

XV. The said *North Level* Commissioners shall within Twelve Months after the passing of this Act set out and appropriate and make and complete the Lading and Landing Place authorized and required to be made by the said Commissioners by the Twenty-sixth Section of the said Act of the First of *William* the Fourth, Chapter Twenty-seven, on the North Side of the existing *North Level* Sea Sluice, in conformity with and subject in all respects to the Provisions of that Act, with such and the same Slopes, Passages, and Slipways (except so far as the Approach thereto may be affected by the intended Diversion of the Road on the North Side of the said Main Drain), and with, under, and subject to the same Obligations with respect to the User thereof and the Repair of the same respectively, as provided by that Act; and such Lading and Landing Place shall not be less than One hundred Yards in Length; and if, after setting out and appropriating Fifty Yards in Length of the rest of the Ground between such existing Sluice and the proposed new Outfall Sluice for their own Use in connexion with such last-mentioned Sluice and the Sluice House intended to be constructed, there shall be any surplus Ground remaining, then One Half in Length of such surplus Ground shall also be appropriated for such public Lading and Landing Place, in addition to and immediately adjoining the said first-mentioned Lading and Landing Place: Provided always, that nothing in this Act contained shall diminish or prejudicially affect the public User or Enjoyment of the public Lading and Landing Place on the South Side of the said existing *North Level* Sea Sluice as heretofore (except so far as the same may be affected by the Discontinuance of a Portion of the Road thereto on the South Side of the *North Level* Main Drain, as herein-after provided for).

Commissioners to set out Lading and Landing Place.

XVI. The said Commissioners shall not be required to make and maintain so much of the common public Road on the South Side of the said *North Level* Main Drain required to be made and maintained by them by the Twenty-sixth Section of the said Act of the First of *William* the Fourth, Chapter Twenty-seven, as lies between the *Nene* Outfall Cut and the Point where the County Boundary crosses the same Road at or near *Redgate* in the Parish of *Tid Saint Giles*; but so much of the said Road as lies between the said Point and the Turnpike Road from *Wisbech* to *Tid Gote* shall be made and maintained and kept in repair by the said Commissioners as required by

Power to discontinue Part of common Road.

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by the said Section, except that the said Commissioners shall not be required to repair the same with Gravel or other hard Materials.

Provision as to Road from Tid Gote to North Level Sluice.

XVII. Before the *North Level* Commissioners interfere with the existing Road leading from *Tid Gote* to the *North Level* Sea Sluice on the North Side of the Main Drain, they shall cause another good, hard, and sufficient Road to be made instead thereof, affording Communication with all other Roads and Places with which the said existing Road communicates, and shall, at their own Expense, for ever maintain, support, and keep in repair such substituted Road.

Contributions to be paid by the Proprietors of Newborough and others.

XVIII. The Proprietors of Lands lying within the Parish of *Newborough* aforesaid intended to be drained under the Powers of the said recited Act of the Fifty-second Year of the Reign of King *George* the Third, and the Proprietors of Lands lying in the late Great and Little Commons in *Sutton Saint Edmund's* aforesaid intended to be drained under the Powers of the said recited Act of the Forty-ninth Year of the same Reign relating thereto, and the Proprietors of Lands lying in the said Districts called "*The Tid and Newton* District," "*The Wisbech* North Side District," and "*The Leverington and Parson Drove* District," respectively intended to be drained under the Powers of the said recited Acts relating to the same Districts respectively, and the Proprietors of Lands lying in *Sutton Saint Edmund's* aforesaid on the North Side of the *South Eau Bank*, shall respectively contribute and pay to the said *North Level* Commissioners, towards the Cost of the Works by this Act authorized to be made and executed, the several Sums herein-after mentioned; (that is to say,)

The Proprietors of Lands in *Newborough*, the Sum of One thousand one hundred and eighty-eight Pounds:

The Proprietors of Lands in the late Great and Little Commons in *Sutton Saint Edmund's*, the Sum of One hundred and sixty-nine Pounds:

The Proprietors of Lands in the *Tid and Newton* District, the Sum of One thousand one hundred and ninety-one Pounds:

The Proprietors of Lands in the *Wisbech* North Side District, the Sum of Two thousand four hundred and fifteen Pounds:

The Proprietors of Lands in the *Leverington and Parson Drove* District, the Sum of One thousand nine hundred and forty-nine Pounds:

And the Proprietors of Lands in *Sutton Saint Edmund's* on the North Side of *South Eau Bank*, the Sum of One thousand nine hundred and forty-four Pounds:

Which said several Sums shall be raised in the Manner herein-after provided for, and be paid to the Treasurer of the *North Level* Commissioners, free from all Deductions whatsoever, by Two equal Instalments,

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ments, the First of such Instalments to become due and payable on the First Day of *February* One thousand eight hundred and fifty-eight, and the other of such Instalments to become due and payable on the First Day of *February* One thousand eight hundred and fifty-nine.

XIX. For raising the said Sum of One thousand one hundred and eighty-eight Pounds to be contributed by the Proprietors of Lands in *Newborough* aforesaid, it shall be lawful for the Commissioners for the Time being acting in execution of the said recited Act for the Drainage of the Lands in *Newborough* aforesaid, and they are hereby required and enabled, at any General or Special Meeting of the said Commissioners to assess, tax, and charge all and singular the Lands intended to be drained under the Powers of their said Drainage Act with such Rate or Tax as will be sufficient to raise and provide for the Payment of their said Contribution herein-before mentioned and required to be paid as aforesaid, and by the like Ways and Means to raise, pay, and satisfy all Charges and Expenses of collecting the same Rate and Tax, and that the Rate and Tax so to be assessed, taxed, and charged shall be collected and received and be recoverable by such and the same Means or Remedies, and in such or the same Manner and Form, and under and subject to the same Penalties on Nonpayment, and shall stand and be upon the same Footing in all respects, so far as regards the assessing, charging, collecting, receiving, and recovering of the same, as the Rates or Taxes to which the said Lands are now liable under or by virtue of the said Drainage Act are now collected and received or recoverable or now stand or are upon in all respects whatsoever.

Provision for raising Contributions from *Newborough*.

XX. For raising the said Sum of One hundred and sixty-nine Pounds, to be contributed by the Proprietors of the Lands lying in the late Great and Little Commons in *Sutton Saint Edmund's* aforesaid, it shall be lawful for the Commissioners acting in execution of the said recited Act of the Forty-ninth Year of the Reign of King *George* the Third relating thereto and they are hereby required to assess, tax, and charge all and singular the Lands lying in the late Great and Little Commons in *Sutton Saint Edmund's* aforesaid, intended or authorized to be drained under the Powers of the same Act, by and with such equal Acre Rate or Tax as will be sufficient to raise and provide for the Payment of the said Sum of One hundred and sixty-nine Pounds, and by the like Ways and Means to raise, pay, and satisfy all Charges and Expenses of collecting the same Rate or Tax, and that the said Rate or Tax upon the Lands lying in the said late Great and Little Commons shall be collected and received and be recoverable by such and the same Means or Remedies, and in such or the same Manner and Form, and shall stand and be upon the same Footing in all respects, so far as regards the assessing, charging,

Provision for raising Contribution from the late *Sutton Commons*.

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collecting,

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collecting, receiving, and recovering of the same, as the Rates or Taxes to which the Lands in the said late Great Common are now liable under or by virtue of the same Act are now collected and received or recoverable or now respectively stand or are upon in all respects whatsoever.

Provision for raising Contribution from Sutton Saint Edmund's

XXI. For raising the said Sum of One thousand nine hundred and forty-four Pounds to be contributed by the Proprietors of the Lands lying in *Sutton Saint Edmund's* aforesaid on the North Side of the *South Eau Bank*, it shall be lawful for the Commissioners of Sewers for the County of *Lincoln* acting within the Hundred of *Elloe* in the said County and they are hereby required to assess, tax, and charge all and singular the said Lands in *Sutton Saint Edmund's* aforesaid within the Jurisdiction of the said Commissioners of Sewers by and with such equal Acre Rate or Tax as will be sufficient to raise and provide for the Payment of the said Sum of One thousand nine hundred and forty-four Pounds, and by the like Ways and Means to raise, pay, and satisfy all Charges and Expenses of collecting the same Rate or Tax, and that the said Rate or Tax shall be collected and received and be recoverable by such and the same Means or Remedies, and in such or the same Manner and Form, and shall stand and be upon the same Footing in all respects, so far as regards the assessing, charging, collecting, receiving, and recovering of the same, as the Rates or Taxes to which the said Lands are now liable under or by virtue of any Act of Parliament, or under or by virtue of any Law of Sewers, are now collected and received or recoverable or now stand or are upon in all respects whatsoever.

Penalty on Nonpayment of Contributions.

XXII. In case the said Sums of One thousand one hundred and eighty-eight Pounds, One hundred and sixty-nine Pounds, and One thousand nine hundred and forty-four Pounds, or any Part thereof respectively, shall be in arrear and unpaid to the said *North Level* Commissioners for the Space of Two Calendar Months next after the Time by this Act appointed for the Payment thereof as aforesaid, the Sum of Three Shillings and Fourpence in the Pound on the said respective Sums, or on so much thereof respectively as shall be in arrear and unpaid as aforesaid, shall be paid by the Commissioners respectively making such Default to the said *North Level* Commissioners as and by way of a Penalty for the Nonpayment thereof.

Power for the Recovery of the Contributions, and the Penalties and Charges.

XXIII. If it shall happen that the said respective Sums of One thousand one hundred and eighty-eight Pounds, One hundred and sixty-nine Pounds, and One thousand nine hundred and forty-four Pounds, or any Part thereof respectively, or any Penalty which shall have been incurred by reason of the Nonpayment thereof respectively, shall remain unpaid to the said *North Level* Commissioners, or their  
Treasurer

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Treasurer for the Time being, for the Space of Three Calendar Months next after the Time so appointed for the Payment thereof as aforesaid, it shall be lawful for the said *North Level* Commissioners and they are hereby authorized and required to appoint a Receiver of the Taxes, Rates, Rents, and Revenues payable to the said *Newborough* Drainage Commissioners, the said *Sutton Common* Drainage Commissioners, and the said Commissioners of Sewers, from or in respect of the said Lands in *Sutton Saint Edmund's* aforesaid respectively, as the Case may be, or which they the said respective Commissioners are, by virtue of their respective Drainage or District Acts, or any Act of Parliament, or Law of Sewers, or this Act, respectively authorized to charge, assess, levy, or receive, or any of them, or any Part or Portion or Parts or Portions thereof respectively; and such Receiver is hereby authorized and required to collect and receive the said Taxes, Rates, Rents, and Revenues which he shall be so appointed to receive, and to pay the same to the said *North Level* Commissioners, or their Treasurer for the Time being, in or towards Satisfaction and Discharge of the Sum or Sums in the Payment whereof Default shall have been made as aforesaid, as the Case may be, together with Interest for the same at the Rate of Five Pounds *per Centum per Annum*, to be computed from the Expiration of the said Three Calendar Months, and of the Penalty or Penalties which shall have been incurred in respect thereof, and of the Costs and Charges which shall have been or shall be incurred by reason of the Nonpayment thereof or by reason of the Appointment of such Receiver as aforesaid, with a reasonable Compensation to him for his Trouble and Expenses therein, until by the Ways and Means aforesaid, or otherwise, the whole Amount of the Sum or Sums in the Payment whereof Default shall have been made as aforesaid, with the Interest and Penalties thereon, and the Costs occasioned by the Nonpayment thereof, and otherwise in relation thereto, shall be unto the said *North Level* Commissioners or their Treasurer fully paid and satisfied, and the Surplus (if any) of the said last-mentioned Taxes, Rates, Rents, and Revenues which shall remain in the Hands of such Receiver, after satisfying the several Purposes aforesaid, shall be paid by the said Receiver to the Commissioners making such Default, as the Case may be, or to their respective Treasurers for the Time being.

XXIV. It shall be lawful for the respective Proprietors of Lands for or in respect of which the said respective Contributions last aforesaid are hereby required and authorized to be raised, being Corporations, Tenants for Life or in Tail, or for any other Estate of Freehold or Inheritance, and also for the Husbands, Guardians, Trustees, Committees, or Attorneys of any of the Proprietors, being under Coverture, Infants, Lunatics, Idiots, or beyond the Seas, or otherwise incapacitated, or the Trustees or Feoffees for charitable, parochial, or other Uses, or

Power for  
Persons hav-  
ing limited  
Estates to  
raise Money  
by Mortgage.

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*The North Level Act, 1857.*

a competent Number of them, in respect of any Lands held by them in trust for any charitable, parochial, or other Uses, to charge their Estates with all or any of the Rates, Taxes, or Sums of Money which they respectively shall be required or liable to pay under the Authority of this Act, and which shall be charged upon and payable from or in respect of the same Lands, in respect of the said several Sums to be so raised and contributed, and for securing the Repayment of such Money, with Interest, to mortgage or demise the said Estates unto or in trust for any Person who shall advance such Money for any Term of Years or otherwise, but so that every such Mortgage or Demise be made with a Condition to cease and be void, or with an express Trust to be surrendered or re-assigned when the Money thereby to be secured, and Interest thereon, shall have been fully paid and satisfied, and so that in every such Mortgage or Demise which shall be made by or on behalf of any Person entitled to any Estate for the Term of his natural Life there be contained a Covenant to pay and keep down the Interest of the Money to be secured during his Life, and that no Person afterwards becoming possessed of such Lands shall be subject or liable to pay any larger Arrear of Interest than for Six Months previous to the Time when the Title of such Person shall accrue or commence, and every such Mortgage or Demise shall be valid in the Law for the Purposes thereby intended; and every such Mortgagee, and his Assigns, shall have the like Remedies in case of Nonpayment of the Moneys thereby secured as in the Case of other Mortgages of a like Nature.

Power for  
Tenants at  
Rackrent to  
deduct the  
Rates from  
their Rents.

XXV. All Tenants and Occupiers of any Lands taxed and charged under the Provisions of this Act for or towards Payment of the Contributions last aforesaid, or any of them, or any Part thereof respectively, being Tenants or Occupiers at Rackrent, shall be at liberty and they are hereby respectively empowered to deduct and retain, out of their respective Rents, all such Rates, Taxes, or Sums of Money as they shall respectively have paid under the Authority of this Act in respect of the said several Lands in their respective Occupations, and the respective Landlords or Owners of such several Lands shall and they are hereby required to allow such Deductions respectively upon the Receipt of the Residue of the said respective Rents, on such Tenants or Occupiers producing to their said respective Landlords proper Receipts for the Payment of such Rates, Taxes, or Sums of Money as aforesaid, and paying or tendering to pay to their said respective Landlords the Residue of their said respective Rents.

Tid and  
Newton,  
Wisbech  
North Side,  
and Lever-

XXVI. The said several Sums of One thousand one hundred and ninety-one Pounds, Two thousand four hundred and fifteen Pounds, and One thousand nine hundred and forty-nine Pounds, to be so contributed and paid by the said Proprietors of Lands lying within the  
Boundaries



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Boundaries of the said *Tid and Newton, Wisbech North Side, and Leverington and Parson Drove* Districts as aforesaid, shall be raised and contributed by the respective Commissioners for the said respective Districts towards the Execution of the said Works, and shall be paid by the respective Commissioners for or Proprietors of the several Lands, or their respective Clerks or Treasurers, to the Treasurer of the said *North Level* Commissioners by Two equal Instalments as aforesaid, and the said Contributions by the several Instalments thereof aforesaid shall be respectively raised, enforced, and recovered by the respective Commissioners of the said respective Districts, and in default of Payment thereof by them within One Calendar Month after the same shall respectively become payable, then by the said *North Level* Commissioners respectively, in like Manner and with the same or the like Powers as are respectively given or reserved to them, the said District Commissioners and to the Commissioners of the *Nene* Outfall respectively, in the like Behalf, by an Act passed in the Seventh and Eighth Years of 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, for raising, recovering, and enforcing the Contributions therein provided to be raised from the said Districts respectively towards the Costs of executing the Works thereby authorized to be executed; and all Powers and Remedies by the same Act given to or vested in the Owners, Lessees, Tenants, or Occupiers of and to Tenants for Life, and Persons having limited Interests in the said Lands within the said Districts respectively touching the Rates, Taxes, and Sums of Money thereby authorized to be assessed or charged thereon, shall be vested in and may be exercised by the Owners, Lessees, Tenants, or Occupiers of, and by Tenants for Life and Persons having limited Interests in, the said Lands within the said Districts in respect of the Rates, Taxes, and Sums of Money hereby authorized to be assessed or charged thereon.*

ington and  
Parson  
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tribution,  
how to be  
raised.

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XXVII. And in order to the providing of the requisite Funds over and above the Contributions by this Act directed to be paid for defraying the Costs of executing the Works by this Act authorized to be made and executed, and of carrying this Act into execution, all and singular the Lands lying within the said Five several Districts of the said *North Level* and *Great Portsand* and the Manor of *Crowland*, by the said recited Act of the Eleventh Year of the Reign of King *George* the Fourth taxed and charged with the said yearly Tax of Three Shillings *per* Acre, or with the reduced Tax of Sixpence *per* Acre in the same Act mentioned, shall be and the same are hereby

Yearly Tax  
on the North  
Level and  
Great Port-  
sand.

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respectively

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respectively assessed, taxed, and charged with the several yearly Taxes herein-after mentioned; that is to say, such of the said Lands as lie within the *North Level*, and by the said Act taxed and charged with the said yearly Tax of Three Shillings *per Acre*, with a yearly Tax of One Shilling and Twopence Farthing *per Acre*; and the Lands called *Cranmoor*, *Northam*, and the *Harp*, and the Thirds of *Tanholt*, by the said Act taxed and charged with the reduced Tax of Sixpence *per Acre*, with a yearly Tax of Twopence Halfpenny *per Acre*; and such of the said Lands as lie within *Great Portsand* and the Manor of *Crowland*, with a yearly Tax of Ninepence Halfpenny *per Acre* respectively for every Acre of the same respective Lands, and so in proportion for any less Quantity than an Acre thereof respectively; which said yearly Taxes shall, from and after the passing of this Act, be payable and paid by the respective Owners or Occupiers of the said several Lands so respectively charged therewith as aforesaid on the First Day of *December* yearly to the Receiver or Receivers of the said *North Level* Commissioners, or to such Person or Persons, and at such Place or Places, as the said *North Level* Commissioners at their respective yearly General Meetings shall order or direct, or otherwise, to their Receiver or Receivers at his or their Dwelling House or Houses: Provided always, that the said Lands called *Cranmoor*, *Northam*, and the *Harp* shall be liable to be charged with the full Tax of One Shilling and Twopence Farthing *per Acre*, when and if the same shall become liable to the said Tax of Three Shillings *per Acre* under the said recited Act of the Eleventh of *George* the Fourth.

Powers for  
recovering  
Taxes.

XXVIII. The said *North Level* Commissioners and their Officers shall have and may exercise such or the like Powers and Remedies for recovering and enforcing the Payment of the said Taxes respectively herein-before assessed and charged on the Lands lying within the said Five Districts of the *North Level* and *Great Portsand*, and with and under such or the like Penalties as are in and by the said Act of the Eleventh Year of King *George* the Fourth given to or vested in the same Commissioners for recovering and enforcing Payment of the Taxes thereby assessed and charged, and all the Powers and Remedies by the same Act given to or vested in Owners or Tenants or Occupiers touching the last-mentioned Taxes, shall be vested in and may be exercised by the Owners or Tenants or Occupiers of the said several Lands hereby assessed and charged in respect of the Taxes hereby assessed thereupon.

Power to  
borrow  
Money on  
the Credit  
of the Taxes.

XXIX. It shall be lawful for the said *North Level* Commissioners from Time to Time to borrow at Interest on Mortgage Bond, or on the Credit of the Taxes herein-before assessed and charged on the Lands lying within the Five Districts of the *North Level* and *Great Portsand*,

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*Portsand*, any Sum or Sums of Money which they may think necessary for carrying the Provisions of this Act into effect, and in the event of such Sum or Sums of Money, or any Part thereof, being called in, or being repaid by the said *North Level* Commissioners by any Means except the Sinking Fund herein-after mentioned, to re-borrow the same, or any Part thereof, and so *toties quoties*, so that there be not at any One Time more than the Sum of Forty thousand Pounds due on the Credit of the whole of the said Taxes, and for securing the Repayment of the Sum or Sums so borrowed, with Interest, the said *North Level* Commissioners may assign the said Taxes, or any Part or Parts thereof respectively, and all Moneys so borrowed by the said Commissioners shall be applied in or towards defraying the Costs of and incidental to the obtaining and passing of this Act, and in carrying the same into execution.

XXX. The Moneys herein-before provided to be raised under the Powers of this Act shall be applied only to Purposes by this Act authorized. Application of Moneys.

XXXI. Provided always, That nothing in this Act contained shall exempt or be deemed or construed to exempt the Commissioners for the Drainage of the Lands lying in the said respective Districts called the *Tid and Newton* District, the *Wisbech* North Side District, and the *Leverington and Parson Drove* District, or the Commissioners of Sewers for the County of *Lincoln* acting within the Hundred of *Elloe*, in respect of the Lands within their Jurisdiction lying in *Sutton Saint Edmund's* aforesaid on the North Side of the *South Eau Bank*, from paying to the said *North Level* Commissioners the said annual Contributions now paid by those Commissioners respectively to the said *North Level* Commissioners for the Use of the Drainage provided by the said recited Act of the Eleventh Year of the Reign of King *George* the Fourth, but the said District Commissioners and Commissioners of Sewers respectively shall and they are hereby required to continue to raise the respective Amounts of their said annual Contributions by Rates and Taxes upon and from the Lands within their respective Districts or Jurisdiction respectively, according to the Directions respectively contained in the same Act and in the said recited Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty. Provision for continuing District Contributions.

XXXII. The Clauses and Provisions of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be incorporated with this Act, and shall apply to the borrowing by the said *North Level* Commissioners of the Sum which they are by this Act authorized to borrow. Certain Provisions of 10 & 11 Vict. c. 16. as to Mortgages incorporated.

XXXIII. The

*The North Level Act, 1857.*

Appropriation for Sinking Fund.

XXXIII. The Sum to be annually appropriated and set apart out of the said Taxes as a Sinking Fund, to be applied in paying off the Principal Moneys to be borrowed under the Powers of this Act, shall be Five hundred Pounds: Provided always, that such Appropriation shall not be necessary in the event of the Money by this Act authorized to be borrowed being obtained from the Public Works Loan Commissioners under an Agreement dispensing with such Appropriation.

Arrears may be enforced by the Appointment of a Receiver.

XXXIV. It shall be lawful for the Mortgagees of the Taxes by this Act authorized to be levied to enforce the Payment of the Principal Moneys and Interest due to them by the Appointment of a Receiver, and the Amount of Debt necessary to authorize the Requisition for a Receiver shall be Five thousand Pounds.

Former Mortgages not to be prejudiced.

XXXV. Nothing in this Act shall prejudice or affect any Mortgage or other Security granted by the said *North Level* Commissioners before the passing of this Act, and which shall be in force at the Time of the passing of this Act.

Saving Rights of the *North Level* Commissioners.

XXXVI. Nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, lessen, alter, or affect in any way howsoever any of the Jurisdictions, Rights, Powers, Privileges, or Authorities now belonging to or vested in the said *North Level* Commissioners or their Committee for the Time being under any Law or Statute whatsoever, except so far as the same are hereby altered or varied, but the same Jurisdictions, Rights, Powers, Privileges, and Authorities so belonging to or vested in them respectively immediately 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 anything herein contained had not been passed.

Saving of existing Rights.

XXXVII. 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, Immunities, or Revenues given, granted, appertaining, or belonging to the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or to any Commissioners or Trustees acting under any Act of Parliament for the Drainage of the Fens, or any of them, or of any District or Lands on the said *Isle of Ely* or in the County of *Lincoln*, save and except in so far as the same are by this Act severally and respectively expressed to be taken away, defeated, 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 Jurisdictions, Powers, Rights, Privileges, and Revenues respectively hereby declared to be saved or reserved.

XXXVIII. From

*The North Level Act, 1857.*

XXXVIII. From and after the passing of this Act all the Powers, Duties, Authorities, and Jurisdictions of the said Corporation granted or created or vested in them by virtue of or under the herein-before recited Acts, or any of them, or otherwise, over and so far as they relate to or concern the said *North Level* and *Great Portsand*, and each of them, and the Five Districts into which they have been so divided as aforesaid, but not further or otherwise, shall be transferred to and legally and effectually vested in the said *North Level Commissioners* to all Intends and Purposes, and shall and may thenceforth be by them used and exercised as fully and effectually as they now can be used or exercised by the said Corporation, and all Drainage or other Works which the said Corporation is by Law now liable to make or maintain within the said *North Level* and *Great Portsand*, together with all Ways, Roads, and Appurtenances, shall after the passing of this Act be transferred to, vest in, and thenceforth belong to the said *North Level Commissioners* and their Successors for the Time being for the same Purposes as before the passing of this Act the Drainage Works, Matters, and Things so transferred were liable or applicable, and the said *North Level Commissioners* shall thenceforth support, maintain, and renew the said Drainage and other Works so transferred to them; and all the Powers vested in and all the Duties imposed on the said Corporation by the recited Acts, or any of them, or otherwise, so far as they relate to or concern the said *North Level* and *Great Portsand*, or either of them, or the laying or collecting of Taxes thereon respectively, or the making, maintaining or renewing of Drainage and other Works within or for the said *North Level*, or any of them, or otherwise relating to or concerning the said *North Level* and *Great Portsand*, or either of them, shall be transferred to and vest in and be used and exercised by the said *North Level Commissioners* as fully and effectually as they are now vested in and can be used or exercised by the said Corporation.

Transfer of Powers of Bedford Level Corporation over North Level and of Drainage Works to North Level Commissioners.

XXXIX. From and after the passing of this Act all Banks, Drains, Sluices, Bridges, Tolls, Rents, Reversions, Rights of Soil and Herbage, Lands, Tenements, and Hereditaments whatsoever and where-soever of the said Corporation, the Rents and Proceeds whereof are applicable for the Use or Purposes of the said *North Level* and *Great Portsand*, or either of them, or any of the Works thereof respectively, and all the Rights, Easements, and Appurtenances belonging thereto, and all Benefit and Advantage thereof, shall be and become vested in the said *North Level Commissioners*, and the Rents, Issues, and Proceeds thereof shall be received and recoverable by the said *North Level Commissioners*, and applied by them as Part of their general Fund.

Transfer of Estates to the North Level Commissioners.

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Books to be inspected.

XL. All Books, Plans, Sections, Title Deeds, Documents, Papers, and Writings in the Possession of the said Corporation or any of its Officers which relate to or concern the *North Level* and *Great Portsand*, or either of them, or any Part thereof respectively, shall be retained by the said Corporation, but with full Liberty for the said *North Level* Commissioners, or any Person or Persons they may appoint, to have free Access thereto, and to take Copies or Extracts therefrom, and to call for the Production thereof at all reasonable Times, on Payment of all reasonable Charges in respect thereof.

The Adventurers Tax and Taxes under 11G.3. c. 78. and 36 G. 3. c. 73. to continue.

XLI. The Lands lying within the said *North Level* now respectively liable to the Taxes commonly called "the Adventurers Taxes" under the said Acts of the Fifteenth and Twentieth Years of King *Charles* the Second, and the Twenty-seventh Year of King *George* the Second, or either of them, and the Lands lying within the *North Level* and *Great Portsand* now respectively liable to the Taxes imposed by the said recited Acts of the Eleventh and Thirty-sixth Years of King *George* the Third, shall continue liable to the same Taxes respectively without any Alteration or Variation in the Amount thereof; and the same several Taxes and each and every of them shall be considered due and payable by Two equal half-yearly Payments on the Thirtieth Day of *June* and the Thirtieth Day of *December* in every Year, and after the passing of this Act the Receiver of the *North Level* Commissioners shall have the like Powers to demand, collect, receive, levy, and recover the same Taxes respectively, and every of them, as the Receiver of the said Corporation had before the passing of this Act, and the same Taxes respectively shall be applied by or under the Direction of the said *North Level* Commissioners, or their Committee, in or towards the Maintenance of the Banks and Works of the said *North Level* and *Great Portsand*, or otherwise, to which the same were applicable at the Time of the passing of this Act, and subject thereto as Part of the general Funds of the said *North Level* Commissioners.

Powers of *North Level* Commissioners over their Properties and Revenues to Extend to Properties so transferred to them by this Act.

XLII. That all and singular Powers and Authorities now vested in the said *North Level* Commissioners in respect of any Drainage or other Works or Properties or Revenues vested in them previously to the passing of this Act, or in respect of any Rates, Taxes, or Rents now receivable or recoverable by them, shall, after the passing of this Act, extend and apply to, and be used, exercised, and enjoyed and applied by them to, the Works, Properties, Revenues, Taxes, and other Matters and Things transferred to or vested in them by this Act.

Owners in the *North Level* ex-

XLIII. From and after the passing of this Act no Person shall sit as a Governor, Bailiff, or Conservator, or vote at any Election of the

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the Governor, Bailiffs, and Conservators, or otherwise act at any Meeting of the said Corporation in respect of any Lands within the said *North Level*. cluded from the Corporation.

XLIV. Provided, That notwithstanding anything herein contained, the present Governor, Bailiffs, and Conservators of the said Corporation shall continue and be qualified to act as such Members of the said Corporation until the next Election of Governor, Bailiffs, and Conservators which shall take place after the passing of this Act. Present Governor, Bailiffs, and Conservators to continue until next Election.

XLV. From and after the passing of this Act it shall not be necessary to enter any Lease, Grant, Conveyance, Will, or other Document of or concerning any Lands within the said *North Level* with the Register or other Officer of the said Corporation, or of the said *North Level* Commissioners, but every such Lease, Grant, Conveyance, Will, or other Document shall be as good and effectual in the Law as if such Entry had not been required by the said Act of the Fifteenth of *Charles* the Second, or otherwise. Registry of North Level Deeds unnecessary.

XLVI. In all Cases in which it is provided by any Act or Acts of Parliament now in force that any Works shall not be executed without the Consent or Approbation of the Corporation, the Corporation shall in every Case where any such Works relate to or affect the said *North Level* and *Great Portsand* or either of them, or any Part or Parts thereof respectively, before consenting to the Execution thereof, give Notice in Writing to the *North Level* Commissioners of their Intention to consent to the Execution thereof, and if the said Commissioners shall be of opinion that such Works will be prejudicial to the said *North Level* and *Great Portsand*, or either of them, or any Part or Parts thereof respectively, they may appeal to the Board of Trade, and if the Board of Trade shall, after due Inquiry, be of opinion that such Works will be prejudicial to the said *North Level* and *Great Portsand*, or either of them, or any Part or Parts thereof respectively, then the same, or such Portion thereof as would in the Opinion of the Board of Trade prejudicially affect the said *North Level* and *Great Portsand*, or either of them, or any Part or Parts thereof respectively, shall not be executed without the Consent of the *North Level* Commissioners. Provision for Cases where the Assent of the Corporation is now required to Works affecting the North Level.

XLVII. All the Estate and Interest, Rights, Powers, Privileges, Duties, Franchises, and Jurisdictions, which by virtue of any Act of Parliament or otherwise are now vested in the said Corporation, shall remain in the said Corporation as fully as if this Act had not been passed, except so far as the same are hereby transferred, varied, or altered, or is by this Act otherwise provided. Reservation of the Rights of the Corporation, save as by this Act altered.

XLVIII. No

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*The North Level Act, 1857.*

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As to Property or Funds of the Corporation not transferred by this Act.

XLVIII. No Part of the Property or Funds of the said Corporation not transferred by this Act shall hereafter be liable for any Works within the Boundaries of the said *North Level* and *Great Portsand*, or for any of the Purposes of the said *Level* and *Great Portsand*.

Nothing in this Act to affect certain Contributions under the *Nene Valley Acts*.

XLIX. Nothing in this Act contained shall affect any Contribution payable by the said Corporation or the said *North Level Commissioners* under the *Nene Valley Drainage and Navigation Improvement Acts*, 1852 and 1854, or either of them, or any Act passed or to be passed for amending the same Acts or either of them, or under any Acts to be passed for effecting or in relation to the same Objects or Purposes, but such Contribution shall be raised and paid from such Fund or Property and in such Manner as the same would have been raised and paid if this Act had not been passed.

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