



ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 183.

An Act for making new Sewers and Drains, and amending the present Sewers and Drains within certain Districts under the Jurisdiction of the Commissioners of Sewers for the Limits extending from *East Mouldsey, in Surrey, to Ravensborne, in Kent,* and for other Purposes relating to the Execution of the Commission of Sewers for the said Limits.

[19th June 1809.]

WHEREAS the several Parishes of *Lambeth and Christchurch, and of Saint George, Saint Saviour, Saint Olave, and Saint Thomas, Southwark,* in the County of *Surrey,* have of late Years become very populous, and by the Increase of Dwelling Houses, and other Buildings within the same, the present Sewers, Drains, and Watercourses, in the several Districts of *Archbishop's Sluice, Arnold Sluice, Dover Sluice, Pudding Mill Stream, Boar's Head Sluice, Black Lion Sluice, Bear Sluice, Bridge House Sluice, and Battle Bridge Mill Stream,* situate within the said Parishes, have become insufficient, and have been encroached upon and narrowed, whereby the Drainage through the same has been greatly annoyed and obstructed: And whereas it is necessary not only to enlarge and amend the present Sewers, Drains, and Watercourses, but also to make new Sewers, Drains, Watercourses, and other Works, as well for the Health and Comfort of the several Inhabitants, as for the Improvement

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of the Lands and Tenements within the said several Districts, and the Borders and Confines thereof: And whereas the said Districts are under the Jurisdiction of the Commissioners of Sewers for the Limits extending from *East Mithley*, in the County of *Surrey*, to *Ravensborne*, in the County of *Kent*; but the said Commissioners are not vested with sufficient Powers by Law to make new Sewers or Drains within the same, or to enlarge or amend the present Sewers or Drains, so as to effect the beneficial Purposes before mentioned; be it therefore 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 the Commissioners of Sewers, for the Limits aforesaid, for the Time being, shall from and after the passing this Act have Power and Authority, from Time to Time, as they shall see Occasion, to widen, deepen, embank, alter, arch over, remove, amend, cleanse, and scour all and every or any of the Sewers, Drains, Watercourses, Sinks, Vaults, Privies, Encroachments, Bridges, Penstocks, Nuisances, Impediments, and Annoyances within the said several Districts of *Archbishop's Sluice*, *Arnold Sluice*, *Dover Sluice*, *Pudding Mill Stream*, *Boar's Head Sluice*, *Black Lion Sluice*, *Bear Sluice*, *Bridge House Sluice*, and *Battle Bridge Mill Stream*, and the Borders and Confines thereof; and to form, make, and lay out new Sewers, Drains, Watercourses, Sinks, Vaults, or Privies in, under, or across all or any of the Streets, Lanes, Passages, and publick Ways, made or to be made within any of the said Districts, or the Borders or Confines thereof, and also under and subject to the Regulations hereinafter mentioned, in, under, or through any Lands or Tenements in the said Districts, or in the Borders and Confines thereof; and to make, construct, and perform Reservoirs, Engines, Sluices, Penstocks, or any other Work or Works for the better draining the said Districts and Places; and all and every such Sewers, Drains, Watercourses, Sinks, Vaults, and Privies, Reservoirs, Engines, Sluices, Penstocks, and other Works shall at all Times be subject to the Controul, Order, Direction, Preservation, and Management of the Commissioners of Sewers, for the said Limits for the Time being, and of their Surveyors and Officers as to them the said Commissioners shall seem meet; and the Charges and Expences thereof shall be paid out of the Rates and Assessments to be made in pursuance and by virtue of this Act.

Notice to be
given of mak-
ing new
sewers.

II. Provided always, and be it further enacted, That Fourteen Days at the least previous to the Determination of the said Commissioners of the making any new Sewer or Sewers, Drain or Drains, under the Authority of this Act, the said Commissioners shall, and they are hereby required to give Notice in Writing, signed by their Clerk, to the Churchwardens or One of them, of each of the Parishes wherein the said Districts are situate, by delivering the same to, or leaving it at their or either of their Dwelling Houses; and also affixing a Copy of the said Notice on the Church Door of each of the said Parishes of the making such new Sewer or Sewers, Drain or Drains, being under the Consideration of the said Commissioners; in which Notice there shall be contained the Name or Names of the Place or Places through or near which the said Sewer or Sewers, Drain or Drains shall be intended to pass; and also the Places of the Commencement and Termination thereof; and also the Time and Place appointed for holding the Court or Meeting of the said Commissioners to consider thereof shall be specified in the said Notice, so that any Person or Persons who may conceive

conceive himself, herself, or themselves interested therein, or likely to be aggrieved thereby, may be heard by themselves, their Counsel, Attorney, or Agent, and Witnesses, before the said Commissioners at the said Court or Meeting, and thereupon the said Commissioners shall and they are hereby authorized to make such Order for the adhering to, or altering, or deviating from the said Line, as they shall judge fit and proper; and their Determination at the said Court or Meeting, or any Adjournment of the same, shall be final and conclusive in the Premises.

III. And it is hereby further enacted, That no Sewer or Sewers, or any collateral Sewer or Sewers shall be made under or by virtue of the Authority of this Act, that shall pass or run through, cross, or into a Place, called *West Square*, in the said Parish of *Saint George the Martyr, Southwark*, unless the Inhabitant Housekeepers of the said Place called *West Square*, or Two-thirds of such Inhabitants, shall, in Writing signed by them, request the said Commissioners to make the same.

No Sewer to be made in West Square unless on request of Inhabitants.

IV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby authorized and empowered to contract for, agree with, and purchase such or so much of any Lands, Grounds, Messuages, Buildings, Tenements, or Hereditaments, within the several Districts aforesaid, or the Borders and Confines thereof, from the several Owners and Proprietors of, and Persons interested in the same, as they shall deem requisite, necessary, or convenient to be purchased for effecting the Purposes of this Act, and to pay such Sum or Sums of Money as may be agreed upon for the same; together with the Costs and Charges attending such Agreement and Purchase, out of the Monies to be raised by this Act; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole; and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of Lunatics, or other Trustees or Feoffees whatever, for or on Behalf of themselves, their Successors, Heirs, Executors, and Administrators; and for and on Behalf of any Infant, Feme Covert, or *Cestuique* Trusts; and for all other Persons whatsoever, to contract and agree with such Commissioners for such Purchase, and to execute all necessary and reasonable Contracts, Agreements, Deeds, and Assurances in the Law of and concerning the Premises, as shall be required by the said Commissioners; all which Contracts, Agreements, Sales, Deeds, Conveyances, and Assurances shall be valid to all Intents and Purposes whatsoever; and all such Persons are, and shall be indemnified for what they shall so do by virtue or in pursuance of this Act.

Commissioners of Sewers empowered to purchase Land by mutual Agreement.

V. And be it further enacted, That if any Body Politick, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, or other Person or Persons herein-before described, whether jointly or severally possessed of, interested in, or entitled unto, any Lands, Messuages, Buildings, Grounds, Tenements, or Hereditaments, mentioned and specified in the Schedule hereunto annexed, or of any Interest or Share therein, shall neglect or refuse to treat, or shall not agree with the said Commissioners of Sewers for the Sale thereof, at a Court of Sessions of Sewers, of which Eight Days Notice in Writing, signed by the Clerk for the Time being to the said Commissioners, shall be given or left upon the Premises so intended to be purchased; or in case any Person or Persons claiming to be entitled to or interested in the said Premises, or any

Owners of Lands and Tenements, mentioned in the Schedule, compellable to sell to Commissioners.

Inquiry of
Value to be
made by a
Jury.

of them, shall not produce or evince a clear Title to the Premises, or to the Interest claimed by them, to the Satisfaction of the said Commissioners of Sewers, then, and in every such Case, it shall and may be lawful to and for the said Commissioners to cause Notice in Writing signed by their Clerk, to be given or left as aforesaid, in or upon the Premises, of the Sum of Money they are willing to pay for the Purchase thereof; in which Notice a Time and Place shall be appointed for the Acceptance or Refusal of such Sum, which Time shall be at least Eight Days after the Service of such Notice; and in case the Head Officer of any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, or some Person deputed on his or their Behalf, or any Person interested in the Premises, in manner aforesaid, shall refuse or neglect to attend at such Time or Place, or shall then or afterwards refuse to accept the said Sum for the Purchase of the said Premises, or of his, her, or their Interest or Interests therein, or shall refuse or be unable to make a clear Title to, or to convey such Premises or such Interest or Interests to the Satisfaction of the said Commissioners, then the said Commissioners shall cause to be enquired into, ascertained, and assessed by and upon the Oath of a Jury of Twelve indifferent Men of the County of *Surrey*, what Recompence shall be made to the Owners and Person or Persons interested in any or every such Lands, Messuages, Buildings, Grounds, Tenements, or Hereditaments, for or upon the Account of the taking of the same by the said Commissioners; and in order thereto, the said Commissioners are hereby empowered from Time to Time, as Occasion shall be or require, to summon before the said Jury, and examine upon Oath any Person whomsoever as a Witness concerning the Premises; and they shall also order and cause the Jury to view the Premises in question, if there be Occasion, and use all other Ways and Means for the Information of the said Jury, touching and concerning the Matter of the said Inquiry, as the said Commissioners shall think fit; and after the said Jury shall have enquired of, ascertained, and assessed such Recompence, the said Commissioners of Sewers shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Owners, Proprietors, Occupiers, Trustees, or other Persons herein-before described, interested in the said Lands, Messuages, Buildings, Grounds, Tenements, or Hereditaments, according to such Verdict or Inquisition; and the Judgement, Order, or Determination so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, as well against the King's Majesty, his Heirs and Successors, as all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, whether the same are or labour under any Disability whatsoever, or otherwise; and all and every such Owners, Proprietors, and Occupiers, and Persons interested in such Lands, Grounds, Messuages, Tenements, Buildings, or Hereditaments shall, upon Payment or Tender of the Money so assessed as aforesaid, or upon Payment thereof into the Bank, or to the Accountant-General of the Court of Chancery, as herein-after provided, be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, or to the same, and the said Lands, Grounds, Messuages, Buildings, Tenements, or Hereditaments, shall vest in the said Commissioners of Sewers, and they shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever,

whatsoever, free from all Incumbrances, Charges, and Deductions whatsoever, the Rates and Taxes imposed or to be imposed by Authority of Parliament only excepted: And for the summoning and returning such Jury the said Commissioners of Sewers are hereby empowered to issue their Warrant to the Sheriff of the County of *Surrey*, requiring him to impanel, summon, and return Twenty-four or more indifferent Persons to appear before the said Commissioners of Sewers, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff or his Deputy is hereby required to impanel, summon, and return such Number as shall be mentioned in the said Warrant; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners of Sewers shall swear or cause to be sworn Twelve to be drawn by Ballot; and in default of the Appearance of a sufficient Number of Persons so impanelled, the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured, to attend thereon, who shall be sworn in like Manner, until the Number of Twelve be completed, which shall be the Jury for the Purposes aforesaid; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not be permitted to challenge the Array, or to challenge more than Fifteen of the said Persons so to be returned; and the said Commissioners of Sewers acting in the Premises shall have full Power from Time to Time, according to their Wisdom and Discretion, to impose any Fine or Fines on such Sheriff, his Deputy, Bailiffs, or Agents, making default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give, or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence.]

Jury to be impanelled.

VI. Provided always, and be it enacted, That Notice in Writing, signed by the Clerk to the said Commissioners of Sewers, of the Time and Place appointed for the returning of the said Jury, shall be given to some Tenant or Occupier, or otherwise left upon the Premises intended to be taken, Eight Days at least before the Day appointed for the Return of the said Jury.

Notice of Jury to be given.

VII. Provided always and be it enacted, That if any of the Lands, Messuages, Buildings, Grounds, Tenements, or Hereditaments mentioned and specified in the Schedule hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Parishes and Places wherein the same are mentioned to be situate, are misnamed or inaccurately described, then and in such Case, on the same being certified by any Two of His Majesty's Justices of the Peace for the said County of *Surrey*, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act; but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually

Wrong Description in the Schedule, not to prevent the Execution of the Act.

as if the same was or were properly named and described in the said Schedule.

Separate
Rights to be
assessed by a
Jury.

VIII. And be it enacted, That in case more than One Body Politic or Corporate, or Person or Persons herein-before described, shall be interested in any Land, Messuage, Building, Ground, Tenement, or Hereditament mentioned in the said Schedule, and One or more of the Parties so interested shall refuse or neglect to treat with the said Commissioners for the Sale of his, her, or their several and respective Interests, or shall refuse the Sum or Sums to be offered for the same, according to the Method herein-before appointed, or shall not evince or make out a clear Title thereto to the Satisfaction of the said Commissioners, then, and in every such Case, it shall be lawful for the said Commissioners to agree with the Party or Parties who are willing to treat for their several and respective Interests, and to purchase the same, according to the Method herein-before appointed, and to cause a Jury to be impannelled, summoned, and sworn in the like Manner as is herein-before provided, which Jury shall enquire into, ascertain, and assess what Recompence shall be made for such separate and respective Interests and Estates of the Party or Parties so refusing or neglecting to treat or accept the Sum or Sums offered to them, and after Payment or Tender of the Sum or Sums so ascertained and assessed, in the Manner herein directed for the Payment of Monies awarded by or through the Verdict of a Jury, such separate and respective Interests of such Person or Persons shall be vested in the said Commissioners, in the same Manner, and to all Intents and Purposes, as the same were before such Ascertainment and Assessment vested in such Person or Persons, and all others claiming or to claim by, through, or under them: Provided always, that in all Cases where any One of the Parties interested shall refuse or neglect to treat with the said Commissioners of Sewers for their respective Interests, or to receive the Sum or Sums to them offered for the same, or shall not make out a clear Title in Manner aforesaid, then and in every such Case it shall and may be lawful for the said Commissioners, if they shall deem it expedient, to decline treating with each and every Party and Parties interested in the Premises, for their respective Shares and Interests therein, and to cause the entire Sum to be paid for such Premises to be ascertained and assessed by a Jury, under the Provisions of this Act, in the same Manner as if each and every of the Party and Parties who have an Interest therein had refused or neglected in Manner aforesaid.

The Value of
Separate Inte-
rests in Lands
may be ass. f-
fed separately.

IX. And be it further enacted, That the said Commissioners, and the Jury so to be impannelled as aforesaid, in their Awards, Adjudications, Determinations, or Verdicts concerning the Value of Lands, Messuages, Tenements, and other Hereditaments shall and may separately and distinctly ascertain or proportion off any particular Estate, Term, or Interest of or belonging to any Body Politic, Corporate, Collegiate, Ecclesiastical or Civil, or to any Person or Persons whomsoever in the Entirety of the Lands, Messuages, Tenements, and Hereditaments to be taken by or in consequence of the Execution of the Powers of this Act, and shall assess and adjudge the Value of such separate or particular Estate, Term, or Interest, and the Money to be paid for the same, distinct and apart from each other.

X. And

X. And be it further enacted, That in case the Recompence to be given and paid for any Premises purchased under and by virtue of this Act, or for any Interest or Interests therein, shall be assessed and ascertained by the Verdict or Assessment of the Jury, impannelled to assess and ascertain the same, at no more or at a less Sum of Money than what shall have been proposed or offered by the said Commissioners before they caused a Jury to be summoned and returned for the aforesaid Purposes; then, and in every such Case, the Costs and Charges of summoning, returning, and maintaining the said Jury and all the Witnesses, Counsel, Assistants, and Agents consequent thereon, shall and may be deducted out of the Money assessed and adjudged in Recompence aforesaid, as so much Money advanced to and for the Use of such Person or Persons interested in or entitled to such Recompence; and the Payment of the Remainder of such Monies shall be deemed and taken to all Intents and Purposes to be a Payment of the whole Sum or Sums so assessed and adjudged.

By whom
Costs of Jury
shall be paid.

XI. Provided always, and be it further enacted, That in all Cases wherein any Person or Persons shall, by reason of Absence from or being out of *Great Britain*, be prevented from treating with the said Commissioners, then the Costs and Expences of summoning and maintaining the said Jury, and all other the Expences of the said Commissioners in obtaining such Assessment shall be paid and discharged by the Expenditor General or Treasurer for the Time being to the said Commissioners out of the Monies to be raised by virtue of this Act.

In case of
Absence of
Parties, the
Costs of Jury
to be paid by
the Commis-
sioners.

XII. And be it further enacted by the Authority aforesaid, That each and every Juryman who shall be sworn for the Purposes of this Act shall, for his Trouble and Expence in the Premises, be allowed the Sum of Ten Shillings and Sixpence *per Day* and no more; and the Sheriff, for impannelling and returning the said Jury, shall be allowed the Sum of One Pound One Shilling, and the further Sum of One Pound One Shilling for attending the said Jury when returned; and his Officer for summoning the said Jury, the Sum of One Pound One Shilling, and no more, on any Account or Pretence whatsoever, notwithstanding more Assessments than One shall be made.

Allowance to
Jury and
Sheriff.

XIII. And be it further enacted, That upon Payment or legal Tender of such Sum, or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in Manner respectively as aforesaid, for the Purchase of any such Lands, Messuages, Buildings, Grounds, Tenements, and Hereditaments, or as a Recompence for any yearly Produce or Profit thereof to the Proprietor or Proprietors of such Lands, Messuages, Buildings, Grounds, Tenements, and Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money respectively, or to his, her, or their Agent or Agents, at any Time after the same shall have been actually so agreed for or assessed, or depositing the same in the Bank of *England* in Manner by this Act directed, it shall and may be lawful to and for the said Commissioners and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Messuages, Buildings, Grounds, Tenements, and Hereditaments respectively (or before such Payment or Tender given, by Leave of the Owners or Occupiers thereof) and then and thereupon such Lands, Messuages, Buildings, Grounds, Tenements, and Hereditaments, together

Lands to vest
in the Com-
missioners, on
Payment or
Tender of the
Value or
Amount of
Damages.

together with the yearly Profits thereof; and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in, and become the sole Property of the said Commissioners, to and for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, of his, her, or their Issue, and of all and every other Person and Persons whomsoever interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit as aforesaid shall be made, it shall not be lawful to or for the said Commissioners, or any Person or Persons acting under or by virtue of their Authority, to dig or cut, or take any Lands or Grounds, or to take down or remove any Tenements or other Hereditaments of the Person or Persons entitled to such Payment, for the Purpose of making or constructing any Sewer, Drain, or Watercourse, Reservoir, Engine, or any of the Works authorized by this Act, without the Leave or Consent of such Person or Persons respectively.

In case of Non-payment or Tender within Six Calendar Months, the Verdicts shall not be binding.

XIV. And be it further enacted, That in case the Sum or Sums of Money so assessed by the said Jury shall not be paid, tendered, or deposited by the said Commissioners, as herein directed, within Six Calendar Months after the same shall have been assessed, then and in such Case the Verdict of the said Jury, and the Order and Adjudication of the said Commissioners shall not be binding upon the said Parties; any Thing herein contained to the contrary notwithstanding; and thereupon the said Parties shall be entitled to receive such Sum of Money in Recompence of the Costs and Charges which they may have sustained by reason of such Inquiry, as to the said Commissioners shall appear to be just and reasonable.

Application of Purchase Money if equal to 200l.

XV. And be it further enacted, That if any Monies shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this Act, which shall belong to any Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, or to any Feoffee in Trust, Executor, Administrator, Guardian, Committee, or other Trustee, or for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Commissioners of Sewers, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or in Discharge of any Debt or Debts, or

of such other Incumbrance, or Part thereof, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, and Purposes, as the said Court shall authorize and direct; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or Three Pounds *per Centum* Reduced Bank Annuities, until the same shall be ordered by the said Court to be sold for the Purposes aforesaid; and in the mean Time the Dividends and annual Products of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XVI. And be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, and belonging to any Body Politic or Corporate, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body Politic or Corporate, or the Person or Persons for the Time being intitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing, under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners (such Approbation and Nomination to be signified in Writing, under the Hands of the nominating Parties, and of Six or more of the said Commissioners), in order that such principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed.

Under 200l.
but equal to
20l.

XVII. And be it enacted, That where such Money so agreed or awarded to be paid shall be less than Twenty Pounds, then the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, and used, for the

If less than
20l.

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Purposes

Purposes of this Act, in such Manner as the said Commissioners of Sewers shall think fit; or in case of Infancy or Lunacy, then such Money shall be paid to the Guardians or Guardian, Committee or Committees of such Infant or Lunatic, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of Failure in making out Titles, &c.

XVIII. And be it further enacted; That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case the Person or Persons entitled to such Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments, (*describing them*) subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or for Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise as to the Title to Money, the Person who shall be in Possession of the Lands, etc, to be deemed entitled thereto.

XIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Messuages, Buildings, Grounds; Tenements, or other Hereditaments, or of any Estate, Right, or Interest in any Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Messuages, Buildings, Grounds, Tenements or other

other Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, or that some other Person or Persons was or were lawfully entitled to such Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments, or to some Estate or Interest therein.

XX. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Messuages, Buildings, Grounds, Tenements, or other Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Messuages, Buildings, Grounds, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act; it shall and may be lawful to and for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order to be paid by the said Commissioners, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct and order.

Court may order reasonable Expences to be paid by the Commissioners.

XXI. And be it further enacted, That every Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Six Calendar Months Notice to quit such Possession from the Clerk to the said Commissioners, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Six Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof, (such Authority being signified under the Hands of any Six of the said Commissioners.)

Tenants at Will to deliver Possession after Six Months Notice.

XXII. And be it further enacted, That in case any Person or Persons shall refuse to give Possession of any Premises purchased by the said Commissioners, or for which Satisfaction shall have been made or tendered as aforesaid, then it shall be lawful for the said Commissioners to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and executing such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Sheriff to give Possession when the same shall be refused.

XXIII. And

Mortgagees to convey.

XXIII. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages on such Lands, Messuages, Buildings, Grounds, Tenements, and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall on the Tender of the principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners, or by such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or from such Person or Persons as they shall appoint to give such Notice, that they will pay off and discharge the principal Money and Interest which shall be due on the said Mortgage or Mortgages, at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice; then and in such Case at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Commissioners, or to such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey or assign as aforesaid on such Tender or Payment, then and in such Case all Interest on every such Mortgage or Mortgages shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises to be ascertained as directed by this Act, then and in such Case the said Commissioners shall not be liable to pay the Mortgage or Mortgages, nor more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey or assign as aforesaid, then upon Payment into the Bank of *England* of the Principal Money and Interest due on any such Mortgage or Mortgages as aforesaid, or of the Value of the Premises to be purchased, in case the same shall, when ascertained as aforesaid, be less than the Sum due on such Mortgage or Mortgages at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees; the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as herein-before directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Conveyances to be made to any of the Commissioners of Sewers.

XXIV. And be it enacted, That all Deeds, Conveyances, and Assurances, of any Lands, Tenements, or Hereditaments, to be purchased by the said Commissioners of Sewers, shall be made to, and in the Names of any Six of them, by the Description of Six of the Commissioners of Sewers for the Limits extending from *East Mouldsey*, in the County of *Surrey*, to *Ravensthorpe*, in the County of *Kent*; and after the Execution thereof, the Lands, Tenements, and Hereditaments thereby conveyed, and likewise all Lands, Tenements, and Hereditaments, of which the said Commissioners shall take Possession, after Payment or Tender made of the Sum or Sums assessed by a Jury as the Recompence thereof, or depositing the same

same in the Bank of *England*, as the Case may be, in Manner herein-before directed and provided, shall become and be vested, and at all Times considered, as the Property of the Commissioners of Sewers, for the Time being, for the Limits before mentioned; and the said Commissioners for the Time being shall have full Power and Authority, and they are hereby authorized and empowered, by the Description aforesaid, or otherwise, in such Name or by such other Description as they may be advised, to bring, defend, and prosecute, or cause to be brought, defended, or prosecuted, any Action or Actions, Suit or Suits, for the maintaining, obtaining, and defending, the Possession of the said Lands, Tenements, and Hereditaments, with the Rights, Privileges, and Appurtenances thereunto belonging, and to prosecute and prefer, or order the prosecuting and preferring of any Indictment or Criminal Prosecution for any Offence relating thereto, in such Manner and Form, and to all Intents and Purposes, as any Person or Persons being Owners, Proprietors of, or Persons interested in any Lands, Tenements, or Hereditaments, can or may do by the Laws of this Realm; and all Deeds, Conveyances, and Assurances, which shall be to them made, shall, without any Fine or Fines, Recovery or Recoveries, be valid, to all Intents and Purposes, and shall as effectually convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of any and every Feme Covert, Cestuique Trust, and other Person or Persons in anywise claiming in, to, or out of the Premises intended to be conveyed or assured, and of all Persons claiming and to claim, by, from or under them respectively, as any Fine or Fines, Recovery or Recoveries, or any other Assurance or Conveyance in Law would or could do; any Law, Statute, Usage, or other Matter or Thing whatsoever to the contrary in anywise notwithstanding.

XXV. And be it further enacted, That previous to the making of any Drain or Watercourse which shall be intended to carry or drain off Water from any Road, Street Way, House, Building, Yard, or Ground, into any Sewer, Drain, or Watercourse, now under or within the Jurisdiction of the said Commissioners of Sewers, or from henceforth to be made by the said Commissioners under and by virtue of this Act, Notice in Writing shall be given to the Clerk to the said Commissioners, by the Person or Persons intending to make each and every such Drain or Watercourse; and that each and every such new Drain or Watercourse shall be constructed and made in such Manner and Form, and of such Materials and Workmanship, and under and subject to such Conditions and Regulations as the said Commissioners of Sewers shall order and direct; and the same shall be under the Survey and Controul of the said Commissioners of Sewers; and in default of such Notice, or of such Drain or Watercourse being constructed and made without or in any respect contrary to any Order and Direction of the said Commissioners, then it shall and may be lawful to and for the said Commissioners to cause such Drain or Watercourse to be prostrated, demolished, pulled down, stopped up, corrected and amended, reformed or rebuilt, as the Case may require, and to cause the Expences thereof to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so making, or causing to be made, such Drain or Watercourse, or of any Person or Persons then or thereafter inhabiting or occupying such House, Building, Yard, or Ground, by Warrant under the Hands and Seals of the said Commissioners, and may otherwise punish such Offender or Offenders by Fine or Fines, Amercia-

Private Drains
to be under
the Direction
of the Com-
missioners.

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ment or Amerciaments, in such Manner and Form as any Fine or Amerciament may be set or imposed by the said Commissioners of Sewers, according to the Laws and Statutes of this Realm relating to the Power and Authority of Commissioners of Sewers.

Persons altering any Drain.

XXVI. And be it further enacted, That in case any Person or Persons shall, without the Consent of the said Commissioners, construct, rebuild, clear out, unstop, or in anywise alter or cause to be constructed, rebuilt, cleared out, unstopped, or altered, any Drain or Watercourse, from any Road, Street Way, House, Building, Yard, or Ground, which shall have been ordered and directed to be demolished, stopped up, or amended as aforesaid, every Person so offending shall for every such Offence forfeit and pay unto His Majesty, His Heirs and Successors, such Sum as the said Commissioners of Sewers shall adjudge and impose upon the Party or Parties so offending; and the said Commissioners may, whenever and so often as the same shall happen, again cause the said Drain or Watercourse, and every of them, to be prostrated, demolished, destroyed, stopped up, rebuilt or amended, as the Case may require.

Drains may be opened by the Commissioners for Inspection.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Sewers, or to and for their Surveyor, or such other Person or Persons as they shall appoint, to inspect and examine every or any Drain and Watercourse now made, or which shall be made, to carry or drain off Water from any Road, Street Way, House, Building, Yard, or Ground as aforesaid, and for that Purpose to cause the same to be opened or broken into, in any Place or Places they shall think proper, doing as little Damage as may be; and in case any such Drain or Watercourse shall be found to be constructed and made in every respect according to the Direction of the said Commissioners, or of their Surveyor in that Behalf, then the said Commissioners, or their Surveyor, shall cause the same to be closed up, and made good again as soon as the Nature of the Case will permit; and the Expences attending the opening, closing up, and making good such Drain or Watercourse shall be defrayed by the said Commissioners out of the Rates and Assessments to be made in pursuance of this Act.

Commissioners of Sewers empowered to alter the Position of Pipes.

XXVIII. And be it further enacted, That if for the Purpose of making, widening, altering, repairing, or cleansing any Sewer, Drain, or Vault, Sewers, Drains, or Vaults, it shall at any Time be found necessary to raise, sink, or otherwise alter the Position of any Pipe or Pipes, Plug or Plugs, now laid down or placed within the Limits aforesaid, or hereafter so to be, the same may be done by the Order of the said Commissioners of Sewers, or of their Surveyor or Surveyors, or other Officer or Officers in that Behalf appointed; and the Charges attending the same shall be paid out of the Rates to be made by virtue of this Act.

Owners of Private Drains to cleanse the same.

XXIX. And be it further enacted, That all Private Drains and Watercourses which now do, or which shall at any Time hereafter fall into, or in anywise communicate mediately or immediately with any of the Sewers, Drains, and Vaults, within the Limits before mentioned, shall be under the Inspection and Direction of the said Commissioners of Sewers, or of their Surveyor or Surveyors, or other Officer or Officers by them in that Behalf appointed, and shall be repaired and cleansed at the Costs and Charges of the

the Occupier or Occupiers of the Messuages, Lands, or Tenements to which the same shall or may respectively belong; and if the Occupier of any Messuage, Land, or Tenement, to which any Private Drain or Watercourse shall belong, shall neglect to repair or cleanse the same, in the Manner required by the said Commissioners, or their Surveyor or Surveyors, or other Officers, appointed as aforesaid, for the Space of Fourteen Days after Notice in Writing for that Purpose, signed by such Surveyor or Officer, shall have been given to such Occupier, or left upon the Premises, every such Occupier shall forfeit and pay unto His Majesty, His Heirs or Successors, such Sum as the said Commissioners of Sewers in their Discretion shall adjudge and impose upon the Party or Parties so neglecting; and it shall and may be lawful to and for the said Commissioners of Sewers to order the said Private Drain or Watercourse to be repaired and cleansed, and to levy and recover the Costs and Expences thereof by Distress and Sale of the Goods and Chattels of the Occupier so neglecting to repair and cleanse the same.

XXX. And be it further enacted, That no Person or Persons, except the said Commissioners or their Surveyor, Workmen or Servants, shall, on any Account or Pretence, at any Time after the passing of this Act, break into or open any Communication with any Drain or Watercourse, now or which shall at any Time be made by and at the sole Expence of any other Person or Persons, without the Consent of such other Person or Persons; and in case any such Drain or Watercourse shall be broken into, or any Communication made therewith, without such Consent, the Party or Parties so doing shall be subject and liable to forfeit and pay unto His Majesty, His Heirs and Successors, such Sum as the said Commissioners of Sewers may judge meet to impose on them or any of them, and the Party or Parties to breaking into or making such Communication, or by whose Order and Direction the same shall be done, shall be liable to make Satisfaction to the Person or Persons at whose Expence such Drain or Watercourse had been made, for the Damage done, to be recovered by Action of Debt in any of His Majesty's Courts at *Westminster*, together with Costs of Suit.

No Private Drain to be used by others, without the Consent of the Owner.

XXXI. And be it further enacted, That the Property of all and every the Sewers and Public Drains and Vaults, now situate and being in the said several Districts, or which shall hereafter be made by or under the Jurisdiction of the said Commissioners of Sewers in the said Districts, or the Borders or Confines thereof, and the Stones, Bricks, Wood, Timber, Materials, and Things, heretofore or at any Time after the passing of this Act, used by or by the Orders of the said Commissioners of Sewers, or of their Surveyor or Surveyors, Officer or Officers, in or about the making, widening, repairing, or cleansing the Sewers and Public Drains or Vaults, or other Works, or purchased by Order of such Commissioners, their Surveyors, Officers, or any of them, to be used for any of the Purposes aforesaid, or delivered to them or any of them in that Behalf, shall be and the same are hereby vested in the said Commissioners of Sewers for the Time being, and they are hereby authorized and empowered, in Manner herein-after directed, to prosecute and prefer, or order the prosecuting and preferring of Indictments against any Person or Persons who shall steal, take, or carry away such Stones, Bricks, Wood, Timber, Materials, and Things, or any of them, or any Part of any of them,

Property of the Sewers, &c. vested in the Commissioners.

them, or otherwise, as the Case may require, to bring or cause to be brought any Action or Actions, Suit or Suits, for the Recovery of such Stones, Bricks, Wood, Timber, Materials, or Things as may be taken or carried away, or for a Satisfaction in Damages for taking, carrying away, or in anywise detaining or injuring the same.

Turnpike
Roads broken
up to be made
good by Com-
missioners.

XXXII. Provided always, and be it further enacted, That whenever it shall be found necessary by the said Commissioners of Sewers, their Surveyor or Surveyors, Agents or Workmen, to open the Ground in, under, or across any Part of the Roads and Public Highways, under the Care, Management, and Direction of the Trustees for putting into Execution an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for making, widening, and keeping in Repair certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christchurch, in the County of Surrey, and for watching and lighting the said Roads*; and also another Act, passed in the Forty-seventh Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Powers of an Act of the Twenty-sixth Year of His present Majesty, for making and keeping in Repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads*; and also an Act passed in the Forty-second Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stone's End in Blackman Street, in the Borough of Southwark, in the County of Surrey, to Highgate in the County of Suffex, and several other Roads therein mentioned, and for granting other Powers for those Purposes*; for the Purpose of widening, deepening, embanking, altering, arching over, removing, amending, cleansing, and scouring all and every or any of the Sewers, Drains, Watercourses, Sinks, Vaults, Privies, Encroachments, Bridges, Penstocks, Nuisances, Impediments, and Annoyances, or for forming, making, or laying out new Sewers, Drains, Watercourses, Sinks, Vaults, or Privies, the same shall be opened, and the Ground filled and rammed in, and the said Roads and Public Ways reinstated and placed in the same or as good State and Condition by the said Commissioners of Sewers, their Surveyor or Surveyors, Agents or Workmen, as they were at the Time of their being so opened as aforesaid, as expeditiously as the Circumstances will admit of, to the Satisfaction of the said respective Trustees, or of their respective Treasurers for the Time being, at the Expence of the said Commissioners of Sewers, upon Pain of forfeiting the Sum of Fifty Pounds for every Time the same shall not be so reinstated and placed in such Condition as aforesaid, over and above the Costs and Expences of repairing, reinstating, and making good the same, which Penalty shall be recoverable, together with full Costs of Suit, of and from the said Commissioners of Sewers, their Treasurer, Clerk, or Agent, in any of His Majesty's Courts of Record at *Westminster*, and shall be applied towards amending and repairing the said respective Roads; and in the mean Time such Surveyor or Surveyors, Agents or Workmen, so opening the Ground, shall forthwith secure the respective Parts thereof in such Manner as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages, and in Default thereof the said Commissioners of Sewers, their Treasurer, Clerk, or Agent for the Time being, shall forfeit any Sum not exceeding

exceeding Five Pounds nor less than Forty Shillings for every Hour that the Ground shall not be secured in Manner aforesaid, which said last-mentioned Penalty shall be at the Discretion of and recovered before any One Justice of the Peace for the said County of *Surrey*, and shall be applied in Manner aforesaid.

XXXIII. And to the End that as well the Charges and Expences attending the Performance of the several Works to be done by the said Commissioners of Sewers in pursuance of this Act, as also the Costs and Charges now or hereafter to be incurred in and about the Execution of the Commission of Sewers, so far as respects the said Districts, and all other Provisions, Matters, or Things herein contained may be provided for; be it further enacted, That it shall and may be lawful to and for the said Commissioners of Sewers for the Time being, and they are hereby required, at any Court or Sessions of Sewers, from Time to Time, as often as there shall be Occasion, to make a general equal Pound-Rate or Assessment upon all and every Person or Persons who do or shall inhabit or occupy any Land, House, Building, Tenement, or Hereditament whatsoever, within the several Districts of *Archbishop's Sluice, Arnold Sluice, Dover Sluice, Pudding Mill Stream, Boar's Head Sluice, Black Lion Sluice, Bear Sluice, Bridge House Sluice, and Battle Bridge Mill Stream*, and the Borders and Confines thereof, according to the Yearly Value of each and every such Land, House, Building, Tenement, or Hereditament, so that the same shall not, in any One Year, exceed the Sum of One Shilling and Sixpence in the Pound of such Yearly Value: Provided nevertheless, that such Rate may be made in One or more Part or Parts, at One or more Time or Times, as the said Commissioners may deem fit and convenient, so that the Lands and Tenements be assessed in due order and regularity, and in fair proportion; and the said Commissioners of Sewers are hereby authorised and directed, out of the Monies to arise by the said Rates and Assessments, to pay and defray the Charges and Expences of all Works to be done or performed in pursuance of this Act, as also all Costs and Charges of repairing, amending, new making, cleansing, and reforming the several Sluices, Sewers, Grates, and Drains within the said Districts, together with the proportionable Part or Parts of the said Districts, in and towards the general Charges and Expences attending the Execution of the Commission of Sewers for the said Limits.

Commissioners
to make Rates.

XXXIV. And be it further enacted, That each and every such Rate or Assessment may be made and imposed upon the Tenant, Occupier, or other Person in Possession of the Land, House, Building, Tenement, or Hereditament intended to be rated or assessed, or upon the Landlord or Landlords thereof, under whom the same shall be immediately held by the Tenant or other Person in Possession; and that whenever and so often as such Rate or Rates, Assessment or Assessments, or any Part or Parts of the same, shall stand in need of being altered or amended, either by Reason of any Premises which ought to be rated and assessed therein, being erroneously described, or being assessed in a wrong Name, or altogether omitted, or being over or under rated, or from any other Cause or Reason whatsoever, then and in each and every such Case it shall and may be lawful for the said Commissioners, from Time to Time, as often as Occasion shall require, to alter or amend such Rate or Rates, Assessment or Assessments, so as to make the same fair, just, and equal, and all Rates and Assessments so corrected, amended, or altered, shall be collected and recovered

Tenants to
be assessed.

vered in the same Manner, and under and by virtue of the like Powers and Remedies as if the same were originally inserted in any Rate or Assessment.

Rate to be recovered of any one Tenant, where the Premises are let out to Two or more Persons.

XXXV. And be it further enacted, That each and every such Rate or Assessment, in the first Instance, shall and may be demanded of and recoverable from the Occupier or other Person in Possession of the Land, House, Building, Tenement, or Hereditament, for and in respect of which the same is assessed and imposed, and that in all Cases where any such Land, House, Building, Tenement, or Hereditament, shall be held or occupied by Two or more Persons, the entire Rate or Assessment made thereupon shall and may be demanded of and recoverable from any One or more of them; and each and every Person or Persons holding or occupying such Land, House, Building, Tenement, or Hereditament, whether the same is occupied by them in Severalty, or jointly with others, or in their own Name or Names, or otherwise, is and are hereby authorized and required to pay the same; and in case he, she, or they shall refuse or neglect to pay the same for the Space of Three Days after Demand thereof left on the Premises in Writing, signed by the Person or Persons appointed by the Commissioners to collect such Rate or Assessment, the same may be recovered by Distress and Sale of the Goods and Chattels of him, her, or them, for refusing or neglecting.

Rates to be allowed by Landlords to Tenants.

XXXVI. Provided always, and be it further enacted, That whenever the several Rates and Assessments hereby directed to be made shall have been paid by or recovered from the Occupier or Occupiers of the Premises assessed, or any of them, then the same shall be repaid by the immediate Landlord or Landlords thereof, to the Occupiers advancing or otherwise discharging the same, either by Deduction of the Amount thereof from the Rent payable in respect of the Premises, or by paying the same: Provided also, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made or to be made between Landlord or Tenant, on any Demise or Lease.

Public Buildings and void Grounds to be assessed.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby required to rate and assess all Chapels, Meeting-Houses, and other Places of Public Worship, with the Premises and Grounds thereunto belonging, whether used as Burying Grounds or otherwise, and all vacant Ground, Prisons, Hospitals, and other Public Buildings, (except Parish Churches and Chapels, and the Burying Grounds thereof, and also except such Part and Parts of the Hospitals commonly called or known by the Names of *Guy's* and *Saint Thomas's Hospitals*, as is or are or shall be appropriated for the Reception of Patients or Sick Persons,) in such Sum or Sums of Money as they the said Commissioners shall judge reasonable; and such Rate and Rates, Assessment and Assessments, shall be paid by and recoverable from the following Persons respectively; that is to say, the Monies assessed on all Chapels, Meeting Houses, and other Places of Public Worship (except as aforesaid), with the Premises and Grounds thereunto belonging; and all Hospitals, Prisons, and other Public Buildings, shall be paid by and recoverable from each and every Person or Persons having the Care and Management thereof, or being otherwise interested therein, either as Preacher, Treasurer, Gaoler, Trustee, or by whatever Name he, she, or they shall be known, or in whatever other Capacity he, she, or they

they shall act, or from any Person or Persons who shall inhabit or reside therein, and the Monies assessed on every void Space of Ground shall be paid by and recoverable from the Owner or Owners, Proprietor or Proprietors thereof; and in case any of the Persons aforesaid shall refuse or neglect for the Space of Three Days to pay any of the said Monies rated or assessed, to the Collector or Collectors, upon Personal Demand, or by Writing left at the usual Place of Abode of the Person or Persons required to pay the same, then and in every such Case the same shall and may be levied upon the Goods and Chattels of the Person or Persons so required to pay the same, by Warrant of Distress to be issued and signed by the said Commissioners of Sewers, or may be recovered by Action or Actions of Debt, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit, which Action or Actions shall and may be commenced and prosecuted in the Name of the Expenditor General for the Time being to the said Commissioners of Sewers; and no Essoign, Protection, or Wager of Law shall be allowed therein.

XXXVIII. And be it further enacted, That in all Cases wherein any Composition shall be made for any Parochial Rate in respect of any of the Lands or Tenements within the said several Districts, whereby the Landlord or Owner thereof shall be liable to the Payment of such Rates, it shall and may be lawful to and for the said Commissioners of Sewers to rate and assess such Lands and Tenements in the Sum or according to the Amount of such Composition; and the same shall be paid by or recovered from the Landlord or Owner thereof, or of any of the Tenants or Persons inhabiting or occupying the same respectively, by Distress and Sale of the Goods and Chattels of the said Landlord or Owner, Landlords or Owners, or of any of the Tenants or Persons so inhabiting or occupying the same respectively, wheresoever the same can be found, as they the said Commissioners of Sewers shall from Time to Time direct.

Composition
for Parochial
Rates may be
adopted by
Commission-
ers.

XXXIX. And be it further enacted, That where the yearly Rent or Value of any Land, House, or other Tenement within the said Districts, shall not exceed Fifteen Pounds, or where any Land, House, or other Tenement shall be let to any weekly or Monthly Tenant, or in separate Apartments furnished or unfurnished, then and in every such Case it shall and may be lawful to and for the said Commissioners of Sewers, from Time to Time, to compound and agree with the Landlord or Landlords, Owner or Owners thereof, for the Payment of the Rate or Rates, Assessment or Assessments to be made by virtue of this Act, on or in respect of such Land, House, or Tenement, at such reduced Rental or Assessment as the said Commissioners shall think reasonable.

Commission-
ers may com-
pound for
Rates on
Tenements of
15 l. per Ann.
Rent, or let out
in Lodgings.

XL. And be it further enacted, That in all Cases where the said Commissioners shall deem it right and expedient to make such Composition as aforesaid, the Landlord or Owner of any and every such Land, Tenement, or House, is and are hereby required to enter into the same with the said Commissioners as aforesaid; and in case any such Landlord or Owner, Landlords or Owners, shall neglect or refuse to enter into such Composition, he, she, or they shall thenceforth be liable to, and shall from Time to Time pay, or cause to be paid, the Sums charged, rated, or assessed, or to be charged, rated, or assessed upon or in respect of such Land, Tenement, or House; and on Non-payment thereof, the said Commissioners

Owners of such
Tenements to
compound for
Rates.

Commissioners are hereby authorized to cause the same to be levied on the Goods and Chattels of such Landlord or Owner, wheresoever the same can be found.

Designation of Owner.

XLI. And, in order to prevent Disputes touching the Designation of the Landlord or Owner herein-before mentioned, be it enacted, That the Person or Persons receiving, claiming, or being entitled to the Rents of any and every Land, Tenement, or House, immediately from the Tenants or Occupiers thereof respectively, shall be deemed and taken to be the Landlord or Owner of the same for the Purposes of this Act, and the Person or Persons required to enter into such Composition as aforesaid.

Composition to continue so long as the Commissioners shall think proper.

XLII. And be it enacted, That from and after any Composition shall be made by the said Commissioners as aforesaid, the Land, Tenement, or House therein comprised, shall and may be rated and assessed according to the same, in and by every future Rate or Assessment to be made by the said Commissioners; and the Landlord or Landlords, Owner or Owners thereof, shall be liable to pay the same as aforesaid, until the said Commissioners shall think proper otherwise to rate and assess the said Premises.

Collector of the Rates to be appointed.

XLIII. And be it further enacted, That the Rates and Assessments to be made by virtue of this Act shall from Time to Time be received, levied, recovered, and accounted for, in like Manner and with the like Powers and Authorities as any Rate or Rates, Assessment or Assessments heretofore made by the Commissioners of Sewers for the Limits aforesaid, have been or may be received, levied, or recovered; and the said Commissioners shall and may, out of such Assessments, make such Allowances as they shall think fit to the Collector or Collectors thereof, for his or their Trouble therein; and the Collector or Collectors of the said Rates, as often as he or they, or any of them, may be thereto required by the said Commissioners, or any Six or more of them, shall make up and render to them a full, true, and perfect Account in Writing of all the Monies by him, them, or any of them collected and received, which Account shall be verified by Oath of the Person making up and rendering the same, if he shall be thereunto required, and which Oath the Commissioners are hereby authorized to administer; and if any such Collector or Collectors shall neglect or refuse to make up and render such Account, or to verify the same by Oath as aforesaid, or if such Account shall appear to such Commissioners not to be a full, true, and perfect Account of all Monies by him or them collected and received respectively, or if any such Collector or Collectors shall not, within Three Days next after being thereunto required by a written Notice to be signed by the Clerk to the said Commissioners, and left at the usual Place of Abode of such Collector or Collectors, deliver up to the said Commissioners, or to such Person or Persons as they shall appoint, all and every the Rates and Assessments and other Documents entrusted to their Custody or Possession, or shall not within such Time and after such Notice neglect or refuse to pay to the Expenditor General for the Time being to the said Commissioners all Monies by him or them collected respectively, or any Balance or Balances found and determined to be in his or their Hands, or to be due from him or them respectively upon examining of his or their Accounts, then and

Collectors empowered to recover Rates.

and in every such Case it shall and may be lawful to and for the said Commissioners of Sewers, by Warrant under the Hands and Seals of any Six or more of them, directed to any Constable or Constables, or other Person or Persons whomsoever, to apprehend and commit such Collector or Collectors to the Common Gaol or House of Correction of the County wherein the said Collector or Collectors shall be found and taken, there to remain, without Bail or Mainprize, until he or they shall make such Account, Payment, or Delivery as may have been required of him or them, in Manner aforesaid, or shall have compounded or otherwise settled with the said Commissioners in respect thereof; and also by like Warrant to direct and authorize any Constable or Constables, or any Person or Persons whomsoever, to levy by Distress and Sale of the Goods and Chattels of such Collector or Collectors, all Monies which shall appear to the said Commissioners to be in his or their Hands respectively, or the Penalty or Penalties of any Bond or Bonds by him or them respectively given and entered into to and with the said Commissioners, or their Expenditor General, for the due and faithful Execution of their Duty as Collector, together with all Costs and Charges attending such Distress and Sale.

XLIV. And, for the better and more effectually enabling the said Commissioners to ascertain the true and full Value of the several Premises by this Act directed to be assessed, and for enabling them to make a just and equal Rate thereupon, be it further enacted, That it shall and may be lawful for any Person or Persons to be named by the said Commissioners, at all convenient Times, to inspect the Books of Assessment of the Land Tax, and also the Books or Rates for the Relief and Maintenance of the Poor of the several Parishes wherein the said Districts herein-before mentioned, and the Borders and Confines of the same are situate, and also to require Copies thereof, or Extracts therefrom, which Inspection, Copies, and Extracts the Person or Persons for the Time being having the Custody of any such Book or Rate, Books or Rates, are hereby required upon reasonable Notice to give, on Payment of Four-pence for every Seventy-two Words and Figures, and Three Shillings and Four-pence for the Inspection and Search, and in each and every Case of Refusal or Neglect thereof, he or they so refusing or neglecting, shall forfeit and pay unto His Majesty, His Heirs and Successors, such Sum as the said Commissioners of Sewers in their Discretion shall think proper to impose.

Parish Rates to be inspected by Collectors or Persons appointed by the Commissioners.

XLV. And, in order to prevent Disputes respecting the Exercise of Jurisdiction by the said Commissioners, over the Borders and Confines of the said several Districts before-mentioned, be it enacted, That the said Borders and Confines shall be considered to be and extend to such Place or Places as the said Commissioners may from Time to Time adjudge to receive or derive Benefit or Advantage from the Works to be done and performed in pursuance of this Act, so as such Borders and Confines shall not extend or be deemed to extend beyond the Space of Two hundred Yards from any of the said Sewers or Works so to be made, done, and performed; and after such Adjudication the said Places shall be considered and taken to be, to all Intents and Purposes, Part and Parts of the said Districts herein-before mentioned, and be no longer comprised or confi-

Borders of Districts ascertained.

[Loc. & Per.]

dered as forming any Part of any other District under the Jurisdiction of the said Commissioners.

Persons rated
entitled to In-
spection of
Rates and
Copies.

XLVI. And be it further enacted, That it shall and may be lawful to and for any Person or Persons assessed or charged in and by any Rate or Assessment to be made by the said Commissioners in pursuance of this Act, to inspect such Rate or Assessment, or any other Rate or Rates heretofore made by the said Commissioners, at reasonable Times in the Day, and to demand and require Copies or Extracts of the same, or of the Duplicate thereof; which Inspection the Clerk to the said Commissioners, or the Person or Persons for the Time being having the Custody or Possession of the said Rate, or Assessment or Duplicate, are hereby required, upon reasonable Notice to them given, to permit, and the Clerk to the said Commissioners shall, upon Request of any such Person or Persons, and Payment of Four-pence for every Seventy-two Words or Figures, make and give Copies or Extracts of any and every such Rate or Assessment, or Duplicate; so that the Payment for such Copy or Extract shall not be less than Six Shillings and Eight-pence, and for such Inspection the Sum of Three Shillings and Four-pence.

Persons rated
entitled to
Inspection of
Accounts and
Copies.

XLVII. And be it further enacted, by the Authority aforesaid, That any Person or Persons assessed or charged in and by any Rate or Assessment to be made by the said Commissioners in pursuance of this Act, shall and may have Liberty to inspect the Accounts of all Monies to be raised or collected by virtue of any such Rate or Assessment, and of the Payment, Application and Expenditure thereof by the said Commissioners, and shall also be entitled to have Copies of such Accounts, or Extracts therefrom, and the Clerk to the said Commissioners shall, upon reasonable Request of any such Person or Persons, and Payment of Four-pence for every Seventy-two Words or Figures, make and give Copies or Extracts thereof accordingly, so that the Payment for such Copy or Extract shall not be less than Six Shillings and Eight-pence, and for such Inspection the Sum of Three Shillings and Four-pence.

Distress not
to be unlawful
for want of
Form.

XLVIII. And be it further enacted, That where any Distress shall be made for the Recovery of any Sum or Sums of Money assessed, or of any Fine or Penalty imposed by the said Commissioners, either by virtue of this Act or otherwise by virtue of their Commission, the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect, Default, or want of Form in any Proceedings whereupon the same shall be founded, or in any other Matter or Thing relating thereto, nor for Want of Jurisdiction in the said Commissioners to authorize or direct the same, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction only for the special Damages by him or them sustained, in an Action on the Case against the Person or Persons committing the same.

Money to be
borrowed.

XLIX. And whereas the Money to be collected by virtue of the Rates to be made in pursuance of this Act will not be sufficient for the speedy carrying into Execution the Purposes aforesaid; be it therefore enacted, That it shall

shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the Expenditor-General to the said Commissioners, by Order of the said Commissioners, for the Uses and Purposes of this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of Fifteen thousand Pounds by way of Loan or Mortgage at Interest, or for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the Term of the Natural Life of such Contributor or Contributors respectively, or the Natural Life of such other Person or Persons as shall be nominated by such Contributor or Contributors respectively.

L. And be it further enacted, That the Payment of all and every the Sum or Sums of Money to be lent as aforesaid, or the Annuity or Annuities so to be purchased under and by virtue of this Act, shall be, and the same are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising from and by the Rates and Assessments to be made by the said Commissioners as aforesaid; and that every Person so advancing any Sum of Money, his, her, or their Assigns, shall have a Receipt or Receipts for the same; and also an Order on Parchment, for Payment of the Sum or Sums of Money so lent, with Interest for the same, or of the Annuity or Annuities so purchased, which Order shall be signed by the said Commissioners; and after signing thereof the same shall be firm, valid, and of good Effect in the Law, according to the true Intent and Meaning of this Act.

Loans and Annuities charged upon the Rates.

LI. Provided always, and be it further enacted, That when and so often as any such Annuitant shall die it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the Expenditor-General for the Time being to the said Commissioners, by the Order of the said Commissioners, for the Uses and Purposes of this Act, any Sum or Sums of Money not exceeding the Sum paid for the Annuity or Annuities on the Life of the Party so dying, for the Purchase of One or more Annuity or Annuities, on the Life or Lives of the Contributor or Contributors, or any Person or Persons to be named by such Contributor or Contributors, and so *toties quoties*.

When Annuitants die other Annuities may be purchased.

LII. And be it further enacted, That it shall and may be lawful to and for every Person advancing any Money by way of Loan as aforesaid, his, her, or their Executors, Administrators, or Assigns, and to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, and their Executors, Administrators, or Assigns, at any Time or Times by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign such Money so lent, and such Annuity or Annuities, or any Part thereof, and their Right, Title, and Interest therein, to any Person or Persons whatsoever, and so *toties quoties*.

Annuities may be assigned.

LIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons whomsoever, for any Thing done in pursuance of this Act, or in pursuance of the Commission of Sewers for the Limits aforesaid, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney or Attorneys, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall

Plaintiff not to recover if Tender of Amends made.

have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, at any Time before Issue joined, to pay into the Court where such Action shall be depending, such Sum of Money as he or they shall see fit, with the like Benefit and Effect, and subject to the same Rules, Proceedings, Orders, and Judgements as are had, made, and given in and by such Court in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings
not to be
quashed for
Want of Form.

LIV. And be it further enacted, by the Authority aforesaid, That no Proceedings to be had touching any Offender or Offenders against this Act, or any Rate or Order made, or other Matter or Thing done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding.

Laws relating
to Sewers
applicable to
this Act.

LV. And be it further enacted, by the Authority aforesaid, That the several Laws now in being relating to the Sewers of this Kingdom shall continue in force, and may be exercised by the said Court of Sewers within the several Districts aforesaid, in the same Manner as they have been heretofore exercised by the Commissioners for the Time being; and that this Act, or any Thing herein contained, shall not take away, derogate from, invalidate, or lessen any of the Powers or Authorities vested, or to be vested in the Commissioners, or the Court of Sewers for the Limits aforesaid, but shall and may be used and exercised by the Commissioners of Sewers for the said Limits, for the Time being, as far as the same may extend in the putting this Act into Execution, together with and in addition to the Powers hereby given to the said Commissioners.

Powers of this
Act to be
exercised at
Courts of
Sewers.

LVI. And be it further enacted, That the several Powers hereby given to the Commissioners of Sewers for the Limits before mentioned, shall be used and exercised by them at the several Courts, or Sessions of Sewers, for the Limits before mentioned, and be deemed and considered as Part of the Business of the said Court or Sessions; and it shall and may be lawful to and for the Clerk for the Time being to the said Commissioners, to summon or call a Court or Sessions of Sewers, as there may be Occasion in the Interval between the holding of any Court or Sessions, and the Time to which the same shall have been adjourned; and that it shall be lawful to and for the Commissioners in such Court assembled, to alter, revoke, or confirm such Adjournment as they shall think proper.

Commissioners
to make
Allowance to
their Officers.

LVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Sewers, from Time to Time, to assign and pay out of the Monies to arise from the Rates and Assessments to be made in pursuance of this Act, or by virtue of their Commission, such Salary, Gratuity, or Allowance to their Clerk or Clerks, Bailiffs, Surveyors, Collectors, or other Officers, as they shall think proper, for their Pains and Trouble in the Execution of their Duties in their respective Offices.

Court of
Sewers em-
powered to
administer
Oaths.

LVIII. And be it further enacted, by the Authority aforesaid, That in all Cases where Cognizance is given to the Court of Sewers, it shall be lawful for the said Court to administer an Oath to any Person or Persons called to give Evidence in the Matters at any Time depending therein.

LIX. And

LIX. And be it further enacted, That in all Cases where the said Court of Sewers are empowered to bring, institute, or defend, or cause to be brought, instituted, or defended, any Action or Actions, Suit or Suits at Law or in Equity, or any Indictment or Indictments, the same shall be brought and instituted in the Name of the Expenditor-General to the said Commissioners, and by the Description of the Expenditor-General to the Commissioners of Sewers for *Surrey* and *Kent*; and in such Indictments and Actions the Property, Money, and Things shall be laid and averred, and taken to be the Property of the Expenditor-General for the Time being to the said Commissioners.

LX. And be it further enacted, That all and every Person or Persons who shall upon Oath commit wilful and corrupt Perjury in any Evidence by him given in any Enquiry or Examination, shall be subject to such Pains, Penalties, and Disqualifications as Persons guilty of wilful and corrupt Perjury are, or shall be subject and liable to by the Laws and Statutes of this Realm.

LXI. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, or of the Commissions of Sewers for the Limits aforesaid, or of any Order, Direction, or Act of the Court of Sewers, no Person shall be disqualified from giving Evidence (on either Side) by Reason of his being a Commissioner of Sewers for the Limits before-mentioned, or of being as such a Party to such Actions or Proceedings, either on the Record or otherwise, or by Reason of being rated or assessed in any Rate or Assessment made by the said Commissioners, or otherwise liable thereto, any Law, Custom, or Usage to the contrary notwithstanding.

LXII. And be it further enacted, That the Expences and Charges in and about procuring and passing of this Act, shall be defrayed out of the Monies to be raised by virtue of this Act.

LXIII. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, or under the Authority of the said Commissioners of Sewers, until One Calendar Month's Notice thereof shall have been given in Writing to the Clerk to the said Commissioners of Sewers, or after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be so brought; and every such Action shall be brought, laid, and tried in the County of *Surrey*, and not in any other County or Place; and the Defendant or Defendants in such Action and Suit, and every of them, may plead the General Issue, and give this Act and the Special Matter in Evidence on each and every Trial or Trials which shall be had thereupon, and if the Matter or Thing for which the said Action or Actions, Suit or Suits, shall be brought, shall appear to have been done in pursuance of any Authority given by this Act, or of the said Commissioners, or if it shall appear that such Action or Suit was brought before One Calendar Month's Notice thereof had been given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time hereby limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants,

[Loc. & Per.]

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dants,

dants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited or suffer a Discontinuance of such Action or Actions, or if upon any Demurrer or Demurrers in such Action or Actions Judgement shall be given for the Defendant or Defendants therein, then and in every of the Cases aforesaid such Defendant or Defendants shall be entitled to Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants is intitled to, and may have for his, her, or their Costs in other Cases.

Public Act.

LXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE referred to by this Act.

A Timber Yard or Wharf in the Bridge Yard, Tooley Street, in the Parish of Saint Olave, Southwark, belonging to and in the Occupation of the Mayor, Commonalty and Citizens of the City of London.

A Carriage Way or Yard leading from the said Wharf to Tooley Street aforesaid, belonging to the said Mayor, Commonalty, and Citizens of London.

A Yard or Ground in the Parish of Saint Olave, Southwark, in the Occupation of Joseph Huffam.

Sheds and Gardens in the Occupations of Thomas Cope, Martha Lee, and Marshall; a Warehouse and Rope Ground in the Occupation of Matthew Kirby; Garden Ground in the Occupation of Butler; a House and Garden in the Occupation of Pottinger; Gardens in the Occupations of Demure and John Lucas; all which Premises are in the Parish of Saint Mary, Lambeth, and are the Freehold and Inheritance of His Grace the Lord Archbishop of Canterbury.

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