CAP. CXI.

An Act to continue and amend the Metropolitan Sewers Acts.

[11th *August* 1854.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty, "to consolidate and continue in force for Two "Years, and to the End of the then next Session of Parliament, the Metropolitan Com- "missions of Sewers," and such Act has been amended by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-three, and has been further amended and has been continued by an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five, and an Act passed in the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Sixty-four, and an Act of the last Session of Parliament, Chapter One hundred and twenty-five, and stood continued until the Seventh Day of *August* One thousand eight hundred and fifty four: And whereas it is expedient to revive and continue the said Acts for such Period as herein mentioned, and to amend the same as herein provided:' Be it therefore 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:

12 & 13 Vict. c. 93.
14 & 15 Vict. c. 75.
15 & 16 Vict. c. 64.
16 & 17 Vict. c. 125.

Metropolitan Sewers Acts continued till 31st August 1855.

I. The said first-mentioned Act, as amended by the other Acts herein-before mentioned and by this Act, shall be revived and continue in force until the Thirty-first Day of *August* One thousand eight hundred and fifty-five, in like Manner as if the Time so limited had been the Time originally limited by the said firstly-mentioned Act for the Continuance thereof.

Pending Vacancy in Office, or during Absence of Chairman or Deputy Chairman, Commissioners present to appoint a Person to preside at Court.

II. In case of a Vacancy in the Office of Chairman or Deputy Chairman under the Provisions of the said Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five, or in case of his or their Absence from any Court of Sewers, some other Commissioner shall be chosen, by the Majority of the Commissioners present, to preside at such Court; and in case there be an equal Number of Votes upon such Choice, then the Person proposed whose Name shall stand first in the Commission shall preside; and if there be an equal Division of Votes upon any Question, the Person so presiding at such Court shall, in addition to his own Vote as a Commissioner, have a Second or Casting Vote, as provided by the said firstly-mentioned Act; and the Person so chosen to preside shall have and perform all the Powers and Duties given to and required to be performed by the Chairman of the Metropolitan Commissioners of Sewers, under the Provisions of the said Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five.

Limit of Amount to be borrowed on Security of Rates, 600,000*l.*

III. 'And whereas by the Second Section of the said Act passed in the last Session of Parliament, Chapter One hundred and twenty-five, it is enacted, that the Sum of Three hundred thousand Pounds shall be the Limit and Extent of the Debt due and owing on the Security of the Rates authorized to be made as therein mentioned at any one and the same Period of Time: And whereas it is expedient to extend the said Limit:' Be it therefore enacted, That the Sum of Six hundred thousand Pounds shall be the Limit and Extent of the Debt due and owing on the Security of the said Rates at any one and the same Period of Time; and that the said Second Section of the said last-mentioned Act shall be read and construed as if the Words "Six hundred thousand Pounds" had been inserted therein instead of the Words "Three hundred thousand Pounds" wherever such last-mentioned Words occur therein.

No Priority amongst Mortgagees or Annuitants, except with respect to existing Charges.

IV. All Persons to whom at the Time of the passing of this Act any Sums of Money are due and owing on the Security of the said Rates, whether in respect of any Mortgages made under the Powers of the said Acts or any of them, or in respect of any Securities made and entered into before the issuing of the First Commission under the first of such Acts, and all Persons to whom any Sums shall become due and owing in respect of any Mortgage of the said Rates made or to be made in pursuance of a certain Deed of Agreement bearing Date the Twentieth Day of *February* now last past, and made between the Metropolitan Commissioners

missioners of Sewers of the one Part, and *Robert Hudson*, *Charles Bladen Carruthers*, and *William Beckwith Towse*, Three of the Directors of the *Rock* Life Assurance Company, of the other Part, shall, in respect of such Debts and Securities, have Priority over and be entitled to be repaid the Sums so due and owing, or so to become due and owing to them, in preference to all other Mortgagees and Annuitants by whom Advances shall be made after the passing of this Act; and, subject to such Priority and Preference, every future Mortgagee or Annuitant shall be entitled to be repaid the Sums he shall advance, with Interest, or to be paid the Annuity which shall be granted to him, without any Preference over any other Mortgagee or Annuitant by reason of any Priority of Advance, or the Date of his Mortgage or other Security.

Securities to continue valid notwithstanding the Expiration of the Act or the Discontinuance of the Commissions.

V. Notwithstanding the Expiration at any Time hereafter of the firstly herein-before recited Act, or of any Act or Provisions incorporated therewith, or in case at any Time hereafter no Commission of Sewers shall be in force under the said firstly-recited Act, all Mortgages and Annuities which at or immediately before the Time of the Expiration of the said firstly-recited Act, or of the Expiration or Determination of the Commission of Sewers which shall have been last in force thereunder (whichever of such Events shall first happen), shall be a Charge on all or any of the Rates authorized to be levied under the said firstly-recited Act and the Acts amending the same, shall continue valid and in full Force and to be a Charge on the Districts on which such Rates would have been authorized to be levied in case such Acts and Commission respectively had continued in force, and on the Property rateable thereto; and, unless Parliament otherwise provide, the Commissioners of Her Majesty's Treasury shall, with all convenient Speed after the Expiration of the said firstly-recited Act or the Expiration or Determination of such Commission, ascertain or cause to be ascertained the Liabilities of such Districts in respect of such Mortgages and Annuities, and where any such Mortgages or Annuities are charged on more than One District shall apportion or cause to be apportioned as between the respective Districts charged therewith the Liabilities under such Mortgages or Annuities, and shall certify the Amount of Charge to which each District is subject in respect of the Liabilities ascertained, or ascertained and apportioned as aforesaid, to the Clerk of the Peace for the County the Justices of which are herein-after authorized to make Rates in respect thereof upon each such District.

Quarter Sessions of the Metropolitan Counties to levy Rates required for such Securities.

VI. The Justices of the Peace for the County of *Middlesex* in Quarter Sessions assembled shall, as to the Parts charged by any such Mortgage or Annuity which may be situate on the North Side of the River *Thames*, and the Justices of the Peace for the County of *Kent* in Quarter Sessions assembled shall as to the Parts so charged within the Limits of the Sewerage Districts known as the *Greenwich* District and the *Ravensbourne* District, and the Justices of the Peace for the County of *Surrey* shall as to the Parts so charged which may be situate on the South Side of the River *Thames*, save and except the said *Greenwich* District and *Ravensbourne* District respectively, make, collect, demand, and levy, and exercise all and every the Powers and Authorities for and with reference to the making, demanding, collecting, and levying of all such Rates for the Payment of the Principal Money and Interest and Annuities, or the apportioned Part thereof respectively, certified by the Commissioners of the Treasury as aforesaid to the Clerk of the Peace of such respective County, as the Metropolitan Commissioners of Sewers might or could have done in case the said firstly-recited Act and any Act or Provisions incorporated therewith had not expired and a Metropolitan Commission of Sewers were in force thereunder; and all Money raised by means of such Rates shall be paid over to such Person or in such Manner as the said Commissioners of the Treasury may appoint for the Purpose of being applied towards Payment of the Principal and Interest and Annuities or apportioned Part thereof respectively certified as aforesaid.

Separate Districts may be formed for Sewerage Purposes of Places where no Sewers Rate at present raised.

VII. 'Whereas the Area included within the Limits of the Commission under the said 'first-mentioned Act comprises several Parts and Places in which no Sewers Rates have been 'raised or levied by the Commissioners acting by virtue of any Commission issued under the 'said first-mentioned Act, and in which such Commissioners have either wholly or for the most 'part, in pursuance of the Discretion vested in them by such first-mentioned Act, forborne to 'exercise their Jurisdiction: And whereas it may be convenient to form some of such Parts

' or Places into separate Districts for Sewerage Purposes, under the Jurisdiction and Control ' of Sewerage Boards, to be constituted in manner herein-after mentioned:' Be it enacted, That from Time to Time, upon an Application in Writing signed by not less than Two Thirds in Number of the Inhabitants of any of such Parts and Places as aforesaid which it may be proposed to form into a separate District for Sewerage Purposes, as herein-after mentioned, rated to the Relief of the Poor, describing therein or upon a Plan annexed thereto the Limits of such proposed District, and its Fitness, in respect of Extent, Situation, Fall of the Ground, and other Circumstances, to be formed into a separate District for Sewerage Purposes, and also showing that the said Inhabitants, rated as aforesaid, are desirous of immediately providing Sewerage by means of a Sewers Rate to be raised in such proposed District, not exceeding One Shilling in the Pound in the Year on the net annual Value of the Property therein rateable to the Relief of the Poor, or (in case there shall be no Rate for the Relief of the Poor) upon an Estimate of the net annual Value of such Property by a competent Person in that Behalf, and showing that fit and proper Sewers for such District can be made and provided at a Cost which can or may be defrayed by means of such Sewers Rate, or by Monies borrowed on the Security thereof, and that the Sewerage of such District can be conveniently managed and conducted by a Sewerage Board, to be constituted as herein-after mentioned, the said Commissioners shall thereupon proceed to examine and consider the said Application, and if, on such Examination and Consideration, they shall be of opinion that the several Parts and Places in the said Application mentioned or referred to can be conveniently and properly excepted from their Jurisdiction, and, either alone or together with other contiguous Parts and Places, formed into a separate District for Sewerage Purposes, as herein-after mentioned, they shall and may order and decree accordingly, and thereupon the several Parts and Places described in such Order and Decree shall be excepted from the Jurisdiction of the said Commissioners and become subject to the Jurisdiction and Control of a Sewerage Board, to be appointed in manner herein-after mentioned.

Inhabitants to elect Sewerage Board of such Districts.

VIII. When and as often as any such District shall have been excepted from the Jurisdiction of the said Commissioners in manner aforesaid, it shall be lawful for the Inhabitants thereof rated to the Relief of the Poor therein, at a Public Meeting to be convened in manner herein-after directed, to elect from their Number Seven Persons, duly qualified, to be and be called the Sewerage Board of such District, which Board shall be authorized and empowered forthwith to execute and superintend the Execution of the Works necessary for the Sewerage of such District, of which Board not less than Five shall be a Quorum; and within One Calendar Month next after the Date of any such Order and Decree as aforesaid the Churchwardens and Overseers of the Parish or Parishes either wholly or partly situate within such District, or the major Part of them, shall and they are hereby required, by public Notice to be affixed on the Outside of the principal public Buildings within the District, to call a Meeting of the Persons so rated to the Relief of the Poor as aforesaid, to be holden at a convenient Time and Place therein, to be specified in such Notice, for the Purpose of electing Seven Persons to be and constitute the Sewerage Board for such District.

Mode of Elections.

IX. On the Day so appointed for such Election the Ratepayers then rated to the Relief of the Poor, and having been so rated for Six Calendar Months next preceding the Day of such Election, desirous of voting, shall meet at the Time and Place appointed, and shall then and there elect a Chairman from among themselves to preside at such Meeting, and shall thereupon proceed to the Election of Seven Persons, qualified as herein-after mentioned, to be and constitute the Sewerage Board of such District; and such Election shall take place by open voting, and shall be decided by a Majority of Votes; and in case of an Equality of Votes the Chairman shall have a Casting Vote; and the Chairman shall at such Meeting declare the Names of the Ratepayers who shall have been so elected, and a List of the Persons so elected shall be forthwith affixed on the Outside of the principal public Buildings in such District.

Qualification of Members.

X. The Members of every such Sewerage Board to be elected at each and every Election under this Act shall be Persons qualified by Law to be elected Members of the Board of Guardians of any Union wholly or partly within such District.

XI. The

XI. The Members of every Sewerage Board to be elected in manner aforesaid shall continue in Office until the Thirty-first day of *August* One thousand eight hundred and fifty-five: Provided always, that in case of any Vacancy in the Number of Members aforesaid by Death, Resignation, or otherwise, the Majority of the remaining Members of such Board shall elect another Person, qualified as aforesaid, to supply such Vacancy. Members of Sewerage Board to continue in Office till 31st August 1855.

XII. Every such Sewerage Board shall have Power to employ a Surveyor to make a Plan of Sewerage for such District, and shall be authorized to pay him reasonable Remuneration for his Services in this Behalf; and such Plan, when made and approved of by the Sewerage Board, shall be submitted by them to the said Commissioners, for their Consideration and Approval, who shall, if they see fit, have Power to direct any Alteration or Modification of such Plan, or to direct a new Plan to be made; and when a Plan of Sewerage for such District shall be approved by the Sewerage Board and by such Commissioners, the Sewerage Board shall execute the Works necessary for carrying such Plan into effect. Surveyor to be appointed.

XIII. Every such Sewerage Board shall have, exercise, and observe within their District all the Powers, Authorities, and Obligations as to the making, demanding, levying, and enforcing of Rates, and the borrowing of Money on the Security of such Rates, and the Execution of Works, and the keeping and maintaining the same in repair, and the enforcing of the Drainage of Houses, and the Abolition of Nuisances, and all other the Powers, Authorities, and Obligations by the said Acts or any of them given to or imposed upon the Metropolitan Commissioners of Sewers: Provided always, that the Sewerage Board of any such District as aforesaid shall be and is hereby authorized and empowered to raise and levy Sewers Rates within the Limits of such District for any Amount not exceeding in the whole in any One Year the Amount of One Shilling in the Pound on the net annual Value of the Property rateable to such Sewers Rate ascertained in manner aforesaid; provided also, that nothing herein contained shall authorize or empower any Sewerage Board constituted in manner aforesaid to cause any of their Sewers, constructed by them under the Provisions herein-before contained, to communicate with or discharge into any of the Sewers of the Metropolitan Commissioners of Sewers, without their Consent in Writing first had and obtained. Power of Sewerage Board to make Rates, &c.

XIV. This Act shall be deemed to be incorporated with "The Metropolitan Sewers Act, 1848," and shall be construed and taken as if this Act and "The Metropolitan Sewers Act, 1848," were One Act. This Act incorporated with 11 & 12 Vict. c. 112.

XV. Provided always, That this Act shall not be taken to abridge the Continuance of so much of the said Act of the Twelfth and Thirteenth Years of Her Majesty, and of so much of the said Act of the Sixteenth and Seventeenth Years of Her Majesty, as will not expire on or before the said Seventh Day of *August* One thousand eight hundred and fifty-four. Saving as to certain Provisions of 12 & 13 Vict. c. 93. and 16 & 17 Vict. c. 125.

CAP. CXII.

An Act to afford greater Facilities for the Establishment of Institutions for the Promotion of Literature and Science and the Fine Arts, and to provide for their better Regulation. [11th *August* 1854.]

'WHEREAS it is expedient that greater Facilities should be afforded for procuring and settling Sites and Buildings in trust for Institutions established for the Promotion of 'Literature, Science, or the Fine Arts, or for the Diffusion of useful Knowledge, and that 'other Provisions should be made for improving the legal Condition of such Institutions:' Be it therefore 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:

I. Any Person in *England, Wales*, or *Ireland*, being seised in Fee Simple, Fee Tail, or for Life of and in any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the present beneficial Interest therein, may grant, convey, or enfranchise, by way of Gift, Lands to be used as Sites for Institutions, &c.