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STATUTES
OF
SEWERS
FOR
WESTMINSTER
& PART OF
MIDDLESEX

CITY AND COUNTY
OF NORWICH



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S T A T U T E S

RELATIVE TO THE

S E W E R S,

WITHIN

W E S T M I N S T E R,

AND PART OF

M I D D L E S E X.

L O N D O N :

PRINTED IN THE YEAR 1776.

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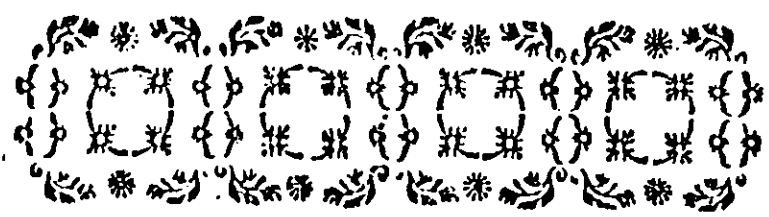
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TWENTY-THIRD

H E N R Y VIII.

C H A P. V.

The Bill of Sewers.

UR Sovereign Lord the King, like a virtuous and most gracious Prince, nothing earthly so highly weighing, as the advancing of the common Profit, Wealth, and Commodity of this his Realm, considering the daily great Damages and Losses which have happened in many and divers Parts of this his said Realm, as well by the Reason of the outrageous Flowings, Surges and Course of the Sea, in and upon Marsh-Grounds and other

How far the Commission of Sewers shall extend. Latch. 170, 171. 4 Inst. 275. 6 H. 6. c. 5. 8 H. 6. c. 3. 4 H. 7. c. 1. 6 H. 8. c. 10.



‘ other low Places, heretofore,
 ‘ through politic Wisdom won and
 ‘ made profitable, for the great com-
 ‘ mon Wealth of this Realm; as
 ‘ also by occasion of Land-Waters,
 ‘ and other outrageous Springs,
 ‘ in and upon Meadows, Pastures,
 ‘ and other low Grounds, adjoining
 ‘ to Rivers, Floods and other
 ‘ Water-Courses: (2) And over that,
 ‘ by and thro’ Mills, Mil-dams,
 ‘ Wears, Fish-garths, Kedels, Gores,
 ‘ Gotes, Flood-gates, Locks and
 ‘ other Impediments, in and upon
 ‘ the same Rivers and other Wa-
 ‘ ter-courses, to the inestimable Da-
 ‘ mages of the common Wealth of
 ‘ this Realm, which daily is likely
 ‘ more and more to increase, unless
 ‘ speedy Redress and Remedy be in
 ‘ this Behalf shortly provided: (3)
 ‘ Wherein albeit that divers and
 ‘ many Provisions have been before
 ‘ this Time made and ordained, yet
 ‘ none of them are sufficient Remedy
 ‘ for Reformation of the Premises,
 Hath therefore, by deliberate Advice
 and Assent of his Lords Spiritual and
 Temporal,

Temporal, and also his loving Com-
 mons, in this present Parliament as-
 sembled, **ordained, established, and**
enacted, That Commissions of
 Sewers, and other the Premises, shall
 be directed in all Parts within this
 Realm, from time to time, where
 and when Need shall require, ac-
 cording to the Manner, Form, Tenor
 and Effect hereafter ensuing, to such
 substantial and indifferent Persons
 as shall be named by the Lord
 Chancellor and Lord Treasurer of
England, and the Two Chief Ju-
 stices, for the Time being, or by
 Three of them, whereof the Lord
 Chancellor to be One.

II. ‘ HENRY the Eighth, &c. The Form of
 the Commission
 of Sewers.
 ‘ Know ye, That forasmuch as the
 ‘ Walls, Ditches, Banks, Gutters,
 ‘ Sewers, Gotes, Calcies, Bridges,
 ‘ Streams, and other Defences, by
 ‘ the Coasts of the Sea and Marsh-
 ‘ grounds, lying and being within
 ‘ the Limits of *A. B. or C.* in the
 ‘ County or Counties of
 or in the Borders or
 A 3 Confines

The several Causes of awarding the Commission of Sewers.

‘ Confines of the same, by Rage of
 ‘ the Sea flowing and re flowing,
 ‘ and by Mean of the Trenches of
 ‘ fresh Waters descending, and hav-
 ‘ ing Course by divers Ways to the
 ‘ Sea, be so dirupt, lacerate and
 ‘ broken; (²) and also the common
 ‘ Passages for Ships, Balengers and
 ‘ Boats, in the Rivers, Streams and
 ‘ other Floods, within the Limits of
 ‘ *A. B. or C.* in the County or
 ‘ Counties of
 ‘ or in the Borders or Confines of
 ‘ the same, by Mean of setting up,
 ‘ erecting and making of Streams,
 ‘ Mills, Bridges, Ponds, Fish-garths,
 ‘ Mil-dams, Locks, Hebbing-wears,
 ‘ Hecks and Flood-gates, or other
 ‘ like Lets, Impediments or Annoy-
 ‘ ances, be letted and interrupted,
 ‘ so that great and inestimable Da-
 ‘ mage for Default of Reparation
 ‘ of the said Walls, Ditches, Banks,
 ‘ Fences, Sewers, Gotes, Gutters,
 ‘ Calcies, Bridges, and Streams; (³)
 ‘ and also by Mean of setting up,
 ‘ erecting, making and enlarging of
 ‘ the said Fish-garths, Mil-dams,
 Locks,

‘ Locks, Hebbing-wears, Hecks,
 ‘ Flood-gates, and other like Annoy-
 ‘ ances, in Time past, hath hap-
 ‘ pened, and yet is to be feared, that
 ‘ far greater Hurt, Loss and Da-
 ‘ mage, is like to ensue, unless that
 ‘ speedy Remedy be provided in
 ‘ that Behalf.

III. ‘ *We therefore,* for that by What Things the Commis-
sioners of Sewers are authorized to do.
 ‘ Reason of our Dignity and Prero-
 ‘ gative Royal, we be bound to pro-
 ‘ vide for the Safety and Preserva-
 ‘ tion of our Realm of *England*, 13 Co. 36.
 ‘ willing that speedy Remedy be had
 ‘ in the Premises, have assigned you
 ‘ and Six of you, of the which we
 ‘ will that *A. B. and C.* shall be
 ‘ Three, to be our Justices, to sur-
 ‘ vey the said Walls, Streams,
 ‘ Ditches, Banks, Gutters, Sewers,
 ‘ Gotes, Calcies, Bridges, Trenches,
 ‘ Mills, Mil-dams, Flood-gates,
 ‘ Ponds, Locks, Hebbing - wears,
 ‘ and other Impediments, Lets and
 ‘ Annoyances aforesaid, and the
 ‘ same cause to be made, corrected,
 ‘ repaired, amended, put down or
 A 4 reformed,

Inquiry by
whose Defaults
the Annoyances
come.

reformed, as Case shall require, af-
ter your Wisdoms and Discretions;
(²) and therein as well to ordain
and do, after the Form, Tenor,
and Effect, of all and singular the
Statutes and Ordinances, made be-
fore the First Day of *March*, in the
Three and Twentieth Year of our
Reign, touching the Premises or
any of them, as also to inquire by
the Oaths of the honest and lawful
Men of the said Shire or Shires,
Place or Places, where such De-
faults or Annoyances be, as well
within the Liberties as without (by
whom the Truth may the rather
be known) through whose Default
the said Hurts and Damages have
happened, and who hath or holdeth
any Lands or Tenements, or Com-
mon of Pasture, or Profit of Fish-
ing, or hath, or may have any
Hurt, Loss, or Disadvantage, by
any Manner of Means, in the said
Places, as well near to the said
Dangers, Lets and Impediments,
as inhabiting or dwelling there-
abouts, by the said Walls, Ditches,
Banks,

Banks, Gutters, Gotes, Sewers, Assessing the
Trenches, and other the said Im- Person to be
pediments and Annoyances (³); contributory to
and all those Persons, and every the Charge.
of them, to tax; assess, charge, ^{141.} 10. Co. 139.
distrain and punish, as well within 2. Bullr. 199.
the Metes, Limits, and Bounds of Cro. Iac. 336.
old Time accustomed, or other-
wise, or elsewhere within our Realm
of *England*, after the Quantity of
their Lands, Tenements and Rents,
by the Number of Acres and Per-
ches, after the Rate of every Per-
son's Portion, Tenure or Profit, or
after the Quantity of their Com-
mon of Pasture, or Profit of Fish-
ing, or other Commodities there,
by such Ways and Means, and in
such Manner and Form as to you,
or Six of you, whereof the said *A.*
B. and *C.* to be Three; shall seem
most convenient to be ordained and
done for Redress and Reformation
to be had in the Premises; (⁴)
and also to reform, repair, and
amend the said Walls, Ditches,
Banks, Gutters, Sewers, Gotes,
Calcies, Bridges, Streams, and
other

Appointing of
Bailiffs, Col-
lectors, Sur-
veyors, and
other inferior
Officers.

‘ other the Premises, in all Places
‘ needful; and the same as often,
‘ and where need shall be, to make
‘ new, and to cleanse and purge the
‘ Trenches, Sewers and Ditches, in
‘ all Places necessary; (5) and further
‘ to reform, amend, prostrate, and
‘ overthrow all such Mills, Streams,
‘ Ponds, Locks, Fish-garths, Heb-
‘ bing-wears, and other Impedi-
‘ ments and Annoyances aforesaid,
‘ as shall be found by Inquisition,
‘ or by your Surveying and Discre-
‘ tions to be excessive or hurtful;
‘ (6) and also to depute and assign
‘ diligent, faithful, and true Keep-
‘ ers, Bailiffs, Surveyors, Collectors,
‘ Expenditors, and other Ministers,
‘ and Officers, for the Safety,
‘ Conservation, Reparation, Refor-
‘ mation, and making of the Pre-
‘ mises, and every of them, and to
‘ hear the Accompt of the Collec-
‘ tors and other Ministers, of and
‘ for the Receipt and laying out of
‘ the Money that shall be levyed and
‘ paid in and about the making, re-
‘ forming, repairing, and amending
‘ the

‘ the said Walls, Ditches, Banks,
‘ Gutters, Gotes, Sewers, Calcies,
‘ Bridges, Streams, Trenches, Mills,
‘ Ponds, Locks, Fish garths, Flood-
‘ gates, and other Impediments and
‘ Annoyances aforesaid; (7) and to
‘ distrain for the Arrearages of every
‘ such Collection, Tax and Assess,
‘ as often as shall be expedient, or
‘ otherwise to punish the Debtors
‘ and Detainers of the same, by
‘ Fines, Amerciaments, Pains, or
‘ other like Means after your good
‘ Discretions; (8) and also to arrest
‘ and take as many Carts, Horses,
‘ Oxen, Beasts, and other Instru-
‘ ments necessary, and as many
‘ Workmen and Labourers, as for
‘ the said Works and Reparations
‘ shall suffice, paying for the same
‘ competent Wages, Salary and Sti-
‘ pend in that Behalf; (9) and also
‘ take such and as many Trees,
‘ Woods, Under woods, and Tim-
‘ ber, and other Necessaries, as for
‘ the same Works and Reparations
‘ shall be sufficient, at a reasonable
‘ Price by you, or Six of you, of
‘ the

Distraining for
the Arrearages
of the Money
assessed.

Taking of La-
bourers, Work-
men and Car-
riages, Timber
and other Ne-
cessaries.

To make Statutes and Ordinances.

the which we will that *A. B.* and
C. shall be Three, to be assessed
 or limited as well within the Li-
 mits and Bounds aforesaid, as in
 any other Place within the said
 County or Counties, near unto
 the said Places; ⁽¹⁰⁾ and to make
 and ordaine Statutes, Ordinances
 and Provisions, from time to
 time, as the Case shall require for
 the Safeguard, Conservation, Re-
 dress, Correction and Reformation
 of the Premises, and of every of
 them, and the Parts lying to the
 same necessary and behooful, after
 the Laws and Customs of *Rumney-*
Marsh, in the County of *Kent*, or
 otherwise by any Ways or Means
 after your own Wisdoms and
 Discretions; ⁽¹¹⁾ and to hear and
 determine all and singular the Pre-
 mises, as well at our Suit as at the
 Suit of any other whatsoever, com-
 plaining before you, or Six of you,
 whereof *A. B.* and *C.* shall be
 Three, after the Laws and Cus-
 toms aforesaid, or otherwise by
 any other Ways and Means,
 after

after your Discretions ⁽¹²⁾; and Awarding of Writs and Precepts to Sheriffs, Bailiffs, and others.
 also to make and direct all
 Writs, Precepts, Warrants, or
 other Commandments, by virtue
 of these Presents, to all Sheriffs,
 Bailiffs, and all other Mini-
 sters, Officers, and other Persons,
 as well within Liberties as with-
 out, before you, or Six of you,
 whereof the said *A. B.* and *C.* to
 be Three, at certain Days, Terms
 and Places, to be prefixed, to be
 returned and received ⁽¹³⁾; and fur-
 ther to continue the Procces of the
 same, and finally to do all and every
 Thing and Things as shall be re-
 quisite for the due Execution of
 the Premises, by all Ways and
 Means after your Discretions ⁽¹⁴⁾;
 and therefore we command you,
 That at certain Days and Places,
 when, and where ye, or Six of you,
 whereof the said *A. B.* and *C.*
 to be Three, shall think expe-
 dient, ye do survey the said Walls,
 Fences, Ditches, Banks, Gutters,
 Gotes, Sewers, Calcies, Ponds,
 Bridges, Rivers, Streams, Water-
 courses,

To compel
others to obey
their Orders.
2 Bulstr. 298.

courses, Mills, Locks, Trenches;
Fish-garths, Flood-gates, and
other the Lets, Impediments, and
Annoyances aforesaid, and ac-
complish, fulfil, hear and deter-
mine, all and singular, the Pre-
mises in due Form, and to the
Effect aforesaid, after your good
Discretions (¹⁵); and all such as ye
shall find negligent, gainsaying, or
rebelling in the said Works, Re-
parations, or Reformations of the
Premises, or negligent in the due
Execution of this our Commission,
that ye do compel them by Distress,
Fines and Amerciaments, or by
other Punishments, Ways, or
Means which to you, or Six of you,
whereof the said *A. B.* and *C.* shall
be Three, shall seem most expe-
dient for the speedy Remedy, Re-
dress, and Reformation of the
Premises, and due Execution of
the same (¹⁶); and all such Things
as by you shall be made and or-
dained in this Behalf, as well within
Liberties as without, that ye do
cause the same firmly to be obser-
ved,

ved, doing therein as to your Justice
appertaineth after the Laws and
Statutes of this our Realm, and
according to your Wildoms and
Directions.

IV. **Saved always**, to us such
Fines and Amerciaments as to us
thereof shall belong (²), and we also
command our Sheriff or Sheriffs
of our said County, or Counties
of that
they shall cause to come before you,
or Six of you, of the which *A. B.*
and *C.* to be Three, at such Days
and Places as ye shall appoint to
them, such, and as many honest
Men of his or their Bailiwick, as
well within the Liberties as with-
out, by whom the Truth may best
be known to inquire of the Pre-
mises (³), commanding also all
other Ministers and Officers as
well within Liberties as without,
that they and every of them shall
be attendant to you in and about
the due Execution of this our
Commission: **In witness where-**
of,

Sheriffs to re-
turn before the
Commissioners
such Jurors
as shall be fit
for Inquiry;

all other Officers
shall be attend-
ant to the
Commissioners.

‘ of, we have caused these our Let-
‘ ters Patents to be made. Witness
‘ Ourself at *Westminster* the
‘ Day of _____ in the Year o
‘ our Reign.’

The Commis-
sioners shall
take an Oath,
enforced by
25 H. 8. c. 10.

V. And it is also Enacted, That
every such Person as shall be named
Commissioner in the said Commis-
sion, after he hath Knowledge
thereof, shall effectually put his Di-
ligence and Attendance, in and
about the Execution of the said
Commission⁽³⁾; and before he shall
take upon him the Execution of the
said Commission, he shall take a Cor-
poral Oath before the Lord Chan-
cellor, or before such to whom the
said Lord Chancellor shall direct the
King’s Writ, of *Dedimus Potestatum*
to take the same, or before the Ju-
stices of the Peace, in the Quarter
Sessions holden in the Shire, where
such Commissions shall be directed:
The Tenor of which Oath hereaf-
ter ensueth.

‘ We

(3) “ We shall swear, that you, to <sup>The Form of
the Oath.</sup>
“ your Cunning, Wit, and Power,
“ shall truly and indifferently exe-
“ cute the Authority to you given
“ by this Commission of Sewers,
“ without any Favour, Affection,
“ Corruption, Dread, or Malice to
“ be born to any Manner of Person
“ or Persons: and as the Case shall
“ require, ye shall Consent, and
“ endeavour yourself for your Part
“ to the best of your Knowledge,
“ and Power, to the Making of such
“ Wholesome, Just, Equal, and
“ indifferent Laws and Ordinances
“ as shall be made and devised, by
“ the most discreet and indifferent
“ Number of your Fellows, being
“ in Commission with you, for the
“ due Redress, Reformation, and
“ Amendment, of all and every
“ such Things, as are contained and
“ specified in the said Commission:
“ and the same Laws and Ordinances
“ to your Cunning, Wit, and Power,
“ cause to be put in due Execution;
“ without Favour, Meed, Dread,
“ Malice, or Affection, as GOD
“ you help, and all Saints.”

B

VI.

A Confirmation of other Statutes.

VI. And it is also Enacted by the Authority aforesaid, That all and every Statute, Act, and Ordinance, heretofore made concerning the Premises, or any of them, as well in the Time of our Sovereign Lord the King that now is, as in the Time of any of his Progenitors, Kings of this Realm of England, not being contrary to this present Act, nor heretofore repealed, from henceforth shall stand, and be good and effectual for ever, and to be put in due Execution according to the true Meaning and Purport of the same.

The Authority of the Commissioners.

1 Mar. sess. 3. c. 11. 13 Eliz. c. 9.

VII. And over that it be Enacted, That the Commissioners hereafter to be named in any of the said Commissions, according to the Purport and Effect of the same Commissions, have full Power and Authority to make, constitute, and ordain Laws, Ordinances, and Decrees, and further, to do all and every thing mentioned in the said Commission, according to the Purport, Effect, Words, and true Meaning of the same; (2) and the same

same Laws and Ordinances, so made, to reform, repeal, and amend, and make New from Time to Time, as the Cases necessary shall require in that Behalf.

VIII. Provided alway, and it is Enacted, That if any Person or Persons being assessed, or taxed to any Lot or Charge for any Lands, Tenements, or Hereditaments, within the Limits of any Commission hereafter to be directed, do not pay the said Lot, and Charge according to the Ordinance and Assignment of the Commissioners, having Power of the Execution of the said Commission; by reason whereof it shall happen, the said Commissioners, having Power of the Execution of such Commission, for lack of Payment of such Lot and Charge, to decree and ordain the same Lands, Tenements and Hereditaments, from the Owner, or Owners thereof, and their Heirs, and the Heirs of every of them, to any Person or Persons for Term of Years, Term of Life,

The Ordinances of Commissioners upon those which refuse.

extended to Copyhold Lands. 7 Ann. c. 10.

in Fee Simple, or in Tail, for Payment of the same Lot and Charge. That then every such Decree and Ordinance so by them made and ingrossed in Parchment, and certified under their Seals into the King's Court of Chancery, with the Kings Royal Assent had to the same, shall bind all and every Person and Persons, that at the making of the same Decree, had any Interest in such Lands, Tenements, or Hereditaments, in Use, Possession, Reversion, or Remainder, their Heirs and Executors and every of them, and not to be in anywise reformed, unless it be by Authority of Parliament hereafter to be summoned and holden within this Realm.

The Commissioners Decree shall bind the King's and Mens Lands.

3. Ed. 6. c. 8.

XI. And also it is provided, by Authority aforesaid, That the same Laws, Ordinances, and Decrees, to be made and ordained by the said Commissioners, or Six of them, by Authority of the said Commission shall bind as well the Lands, Tenements, and Hereditaments, of the King

King our Sovereign Lord, as all and every other Person, and Persons, and their Heirs, for such their Interest, as they shall fortune to have, or may have in any Lands, Tenements, or Hereditaments, or other casual Profit, Advantage, or Commodity whatsoever they be, whereunto the said Laws, Ordinances, and Decrees, shall in anywise extend, according to the true Purport, Meaning, and Intent of the same Laws.

X. And it is furthermore, by the Authority aforesaid, **established and Enacted,** That if any manner of Person or Persons, of what Estate, or Degree soever he, or they be of, that from henceforth do take upon him, or them, to sit by Virtue of any of the said Commissions, not being before sworn in Form as is aforesaid, and according to the Tenour of the Oath before specified; or if any Person so named, and sworn, do sit as is aforesaid, not having Lands and Tenements, or other Hereditaments, in Fee Simple,

No Man may sit being unsworn.

What Land each Commissioner shall have.

13. El. c. 9.
25. H. 8. c. 10.

Fee Tail, or for Term of Life, to the clear Yearly Value of xl Marks, above all Charges to his own Use, except he be resiant, and free of any City, Borough, or Town Corporate, and have moveable Substance of the clear Value of One Hundred Pounds, or else be learned in the Laws of this Realm, in, and concerning the same, that is to say, admitted in one of the Four Principal Inns of Court for an utter Barrister, shall Forfeit xl £. for every time that he shall attempt so to do; (*) the one half thereof to be to our Sovereign Lord the King, and the other half thereof to the Use of him, or them, that will sue therefore; by Action of Debt, Bill, Plaint, or Information, in any of the King's Courts; in which Action, or Suit, no Wager of Law, shall be admitted, nor any Essoign, or Protection shall be allowed.

XI. And if any Action, of Trespas, or other Suit shall happen to be attempted, against any Person or
Persons,

Persons, for taking of any Distress or any other Act doing, by Authority of the said Commission, or by Authority of any Laws, or Ordinances made by Virtue of the said Commission, the Defendant or Defendants, in any such Action, shall, and may make Avowry, Conisance, or Justification for the taking of the same Distress; or other Act doing, touching the Premisses, or of any of them, alledging in such Avowry, Conisance, or Justification, that the said Distress, Trespas, or other Act, whereof the Plaintiff complaineth, was done by the Authority of the Commission of Sewers for Lot, or Tax, assessed by the said Commission, or for such other Act or Cause, as the said Defendant did, by Authority of the same Commission, and according to the Tenor, Purport, and Effect, of this present Act, made the Three and Twentieth Year of the Reign of Our Sovereign Lord King Henry the Eighth, without any expressing, or rehearsal of any other Matter or Circumstance contained

Avowry or Justification of a Distress, taken by Reason of the Commission of Sewers.

Co. pl. f. 293.

in this present Act, or any Commission, Laws, Statutes, or Ordinances thereupon to be made; (2) whereupon the Plaintiff shall be admitted to Reply, that the Defendant did take the said Distress, or did any other Act, or Trespas supposed in his Declaration of his own Wrong, without any such Cause alledged by the said Defendant, whereupon the Issue in every such Action, shall be joined to be tried by Verdict of Twelve Men, and not otherwise, as is accustomed in other Personal Actions; (3) and upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same.

Where the Defendant shall repay Damages with his Costs of Suit.

XII. **And**, after such Issue, tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the same Defendant to recover Treble Damages, by Reason of his wrongful Vexation in that Behalf, with his Costs also in that Part sustained, and that to be assessed by the same Jury, or

or Writ, to enquire of Damages as the Cause shall require.

XIII. **And it is also Enacted**, The Wages and Fees of Commissioners, Clerks, Collectors, &c. That, every of the said Commissioners shall have, and receive, Four Shillings for every Day that they shall take Pain in the Execution of this Commission of Sewers, and One Clerk by them to be assigned Two Shillings, for every Day of the Rates, Taxes, Lots, and Wains, that shall be assessed, or lost by the Authority of the said Commission, and to be levyed, and paid, by their Discretions; (2) and, that the said Commissioners, or Six of them, shall have Power and Authority to limit, and assign of the same Rates, Taxes, Lots, and Wains, by their Discretions, such reasonable Sums of Money, to the said Clerk, for Writing of Books, and Process, concerning the Premises, and to the Collectors, Expenditors, and such other, as shall take pain, in the due Execution of the said Commission, as by the Discretions of the said Commis-

Commissioners, or Six of them, shall be thought reasonable.

Commissions within the Liberty of the Dutchy.

XIV. **Provided** alway, That whensoever, and as often, as such Commission, as is afore limited, shall be made and directed, to any Person or Persons, for the Reformation and Amendment of, or in any of the Premises, specified in the said Commission, within the Fees, Liberties, or Possessions of the Dutchy of *Lancaster*, that then such Commissioners, as shall execute any such Commission, shall be always named, and appointed by the Discretion of the Lord Chancellor, and Lord Treasurer of *England*, and the said Two Chief Justices of either Bench, and the Chancellor of the said Dutchy for the Time being, or Three of them, whereof the said Lord Chancellor, and the Chancellor of the Dutchy, to be Two; (²) and that in every such Case, Two Commissions shall be awarded, and made according to the Tenor of the Commission above expressed, One thereof under

under the Great Seal of *England*, and the other under the Seal of the same Dutchy, as before time hath been accustomed; any thing afore rehearsed, in this Act, to the contrary hereof notwithstanding.

XV. **And it is further Enacted**, That the said Commissions from Time to Time, as the Case shall require, shall be had and obtained, without any Money, or other Charge to be paid, for the Seals, or Writing of the same; unless it be to the King; Two Shillings and Six Pence, for the Seal of every Commission, as hath been accustomed; and for the Writing and Inrolling, of any one Commission, Five Shillings, and not above.

The Charge of the Commissions.

XVI. **And it is further Enacted**, That every Commission to be made by the Authority of this Act, shall endure and continue, for the Term of Three Years, next after the Teste of the Commission, (²) nevertheless, after any Commission, made and delivered

A Commission of Sewers shall endure Three Years.

altered by 13 El. c. 9. s. 1.

A Commission
or Commis-
sioner dis-
charged by
Supersedeas.

delivered out of the Kings Court of Chancery, the Kings Highness shall always at his Pleasure, by his Writ of *Supersedeas*, out of his said Court of Chancery, at any Time discharge as well every such Commission, as every Commissioner that shall be made or named by Authority of this Act. (3) After which Discharge, the said Commissioners, shall have no Power, or Authority to proceed in the Execution of their Commission, nor in any thing by Authority of this Act.

How long the
Commissioners
Decree shall
endure.

March, 169.
altered by
13. El. c. 9. s. 1.

XVII. **Provided** always, That such Laws, Acts, Decrees, and Ordinances, as shall happen to be made by the said Commissioners according to the Tenor of their Commission, or by Authority of this Act, shall stand good and effectual, and be put in due Execution so long Time as their Commission endureth, and no longer; except the said Laws, and Ordinances, be made and ingrossed in Parchment, and certified under

under the Seals of the said Commissioners, into the Kings Court of Chancery, and then the Kings Royal Assent, be had to the same; any thing contained in this present Act, to the contrary hereof notwithstanding.

XVIII. **Provided** also, That Commissions into a County Palatine. whensoever, and as often, as such Commission as is afore limited, shall be made and directed, to any Person or Persons for the Reformation and Amendment of, or in any of the Premises specified in the said Commission within the Fees, Liberties, and Possessions of the Principality of *Wales*, the County Palatine of *Chester*, or within the Fees, Liberties, and Possessions, of any other Place, where there is Liberty, and Jurisdiction of County Palatine, that in every such Case, Two Commissions shall be awarded, and made according to the Tenor of the Commission above expressed, One thereof under the Great Seal of *England*, and

and the other under the Usual Seal of the County Palatine, in Manner and Form, as is above provided for the Dutchy of *Lancaster*; any thing afore rehearsed, in this present Act, to the contrary notwithstanding.

The Kings Royal Assent shall be certified into the Chancery. altered by 13 El. c. 9. s. 1.

XIX. And it is provided, and also Enacted, That the Royal Assent, limited, to be had unto the Laws, and Ordinances to be made by the said Commissioners, as is abovesaid, shall be certified into the said Court of Chancery under the Kings Privy Seal; (2) and that there shall not any Sum of Money be paid for the same Privy Seal; but for the Writing of the same Certificate, under the said Privy Seal, shall be paid to the Writer thereof ii s. and not above, nor no other, nor greater Sum, for any thing touching or concerning the same Certificate, under the same Privy Seal.

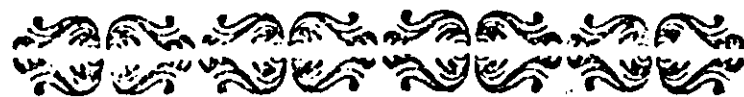
XX. Pro-

XX. Provided alway, That the Chancellors, and such others as shall have the Custody of the Seals of the said Principality of *Wales*, or the County Palatine of *Chester*, or within the Fees, Liberties, and Possessions of any other Place, where there is Liberty and Jurisdiction of County Palatine, upon reasonable Request, and upon the Sight of the Commission under the Kings Great Seal of his Chancery, shall without delay, make out another Commission, under the Seal of the said County Palatine, according to the Tenor of the Kings Commission, to them shewed under his Great Seal; (2) and to those Commissioners as shall be named by the Lord Chancellor, Lord Treasurer, and the Two Chief Justices, or by Three of them, whereof the Lord Chancellor to be One, except it be within the Fees and Liberties of the Dutchy of *Lancaster*, within which Fees, and Liberties, the Commissioners shall be named, and Commissions

Commissions in Wales and Counties Palatine.

Regist. f. 127. made perpetual by 3 & 4 Ed. 6. c. 8. and explained by 3. Jac. 1. c. 14. and see farther 7 Ann. c. 10.

missions made as is afore ordained by this Act, any thing contained in the said Act, or in any Proviso thereunto added and annexed to the contrary thereof, notwithstanding, (') this Act to endure, for Twenty Yeares.



THIRD AND FOURTH

E D W A R D VI.

C H A P. VIII.

An Act, for the continuance of the Statute of Sewers.

WHEREAS in the Par-
 liament holden at *West-*
minster, by Prorogation,
 the xv. Day of *January*,
 in the xxiii. Year of the most
 victorious Reign of our late Sove-
 reign Lord King *Henry* the
 Eighth, among other Things, one
 general Act, concerning Commis-
 sions of Sewers, to be directed,
 into all Parts within this Realm,
 was enacted, and made to continue
 and endure for Twenty Years, then
 next following, as by the same Act
 C more

The Stat. 23.
 Hen. viii. cap.
 v. touching the
 Commission of
 Sewers, made
 perpetual.