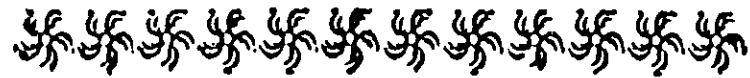


unto this Act, by the Authority of this present Parliament, that such and like Fees, and none other nor more, shall be at any Time paid or demanded, for any Commission or Commissions, or Writs of *Dedimus Potestatem*, hereafter to be sued out, or obtained, under the Seal of the Dutchy, but only such and like Fees as has been mentioned in the said former Act, to be paid in the Chancery, for Commissions and Writs of *Dedimus Potestatem* to be obtained from the same Court of Chancery. (4)

How long the Commission of Sewers shall endure, after 13 Eliz. c. 9.

The Commissions to continue for Ten Years 13 El. c. 9.

Adding moreover thereunto by the Authority abovesaid, that every Commission and Commissions, hereafter to be awarded for Sewers, shall continue and endure for Term of Five Years, next after the Test of such Commission, unless the same Commission and Commissions shall be otherwise discharged within the said Time by *Supersedeas*; any Thing or Things mentioned, or contained in the said former Act, contrary to the Additions before mentioned, or any of them, in any wise notwithstanding.



THIRTEENTH

ELIZABETH.

CHAP. IX.

*An Act for the Commission of Sewers.*

**AS MUCH** as no Commission of Sewers, by the Estatutes heretofore made, may have Continuance above the Space of Five Years; (2) be it therefore enacted by the Queen's Most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from

23 H. 8. c. 5.  
3 and 4 Ed. 6. c. 8.

Stat. 23 H. 8. c. 5.

C 3 henceforth

a Commission of Sewers shall continue ten Years.

The Orders of the Commissioners of Sewers shall be of force without the Certificate of them or the Royal Assent.

henceforth all and every Commission and Commissions of Sewers, now standing in Force, or that hereafter shall be granted and made, shall stand and continue in Force for the Term of Ten Years next ensuing the Date of every such Commission, unless the same Commission or Commissions be, or hereafter shall be repealed or determined, by Reason of any new Commission in that Behalf made, or by *Supersedeas*; (3) and that all such Laws, Ordinances and Constitutions, as be, or shall be duly made by force of any such Commission, according to the Tenor and Effect limited in any former Statute heretofore made, touching Commission or Commissions of Sewers, and being written in Parchment, indented, and under the Seals of the said Commissioners, or Six of them (whereof the one Part shall remain with the Clerk appointed, and to be appointed for the Commission of Sewers for the Time being, and the other Part in such Place as the same Commis-

Commissioners, or Six of them, shall order and appoint) shall, without any Certificate thereof to be made into the Court of Chancery, and without the Royal Assent to the same had, stand, and continue in full Force and Effect, notwithstanding any Determination of any such Commission by *Supersedeas*, until such Time, as the same Laws, Constitutions and Ordinances shall be altered, repealed, or made void, by the Commissioners after to be assigned and appointed for Sewers, in those Parts where the same Laws, Ordinances and Constitutions were made, ordained, and constituted, or by Six of them.

II. And be it further Enacted by the Authority aforesaid, That at all Times, from and after, the End and Expiration of the Term of Ten Years next, ensuing the Date or Teste, of any Commission of Sewers hereafter to be made; all such Laws, Ordinances, and Constitutions, as were made by Virtue of

The Commissioners of Sewers Orders shall continue One Year tho' the Commission do expire.

any such Commission, and Written in Parchment, Indented and Sealed, as is above mentioned, without Certificate therof, or the Assent Royal, to the same had, as is aforesaid, shall notwithstanding the Determination of any such Commission, by the Expiration of the Term of Ten Years, next ensuing the Date of any such Commission of Sewers, likewise continue in force, for and by the Space of One Whole Year, then next ensuing; (²) and that the Justices of Peace, in the Shire and Shires, where the same Laws, Ordinances, and Constitutions, are to be executed, within their several Commissions and Limits, or Six of them, whercof Two to be of the *Quorum*, shall have Power and Authority, by the Space of One Whole Year, next, after the Expiration of every such Commission, to execute the same Laws, Ordinances, and Constitutions, and every of them, as fully, and in as ample Manner, and Form, as the Commissioners, or any of them, named and appointed,

The Justices of Peace may for One Year, execute the Commission of Sewers, unless a New Commission be granted

pointed, in every, or any Commission so expired, might or should have done, to all Intents and Purposes, as if the said Commission or Commissions, had continued in force.

III. **Provided always, and be it nevertheless Enacted,** That if any New Commission of Sewers shall be made, within the said Year, that then, immediately from and after, such Commission newly made and published, the Power of the said Justices of the Peace, and every of them, in anywise concerning the Execution of any such Laws, Ordinances and Constitutions of Sewers, shall utterly cease; any Thing or Things, in this Act, to the contrary expressed, in any wise notwithstanding.

IV. **And be it further Enacted,** That no Farmer or Farmers, for Term of Years, of any Manors, Lands or Tenements, lying or being within the Precincts, or Limits, of any

A Farmer of Lands chargeable shall not be Commissioner within the same Precinct.

any such Commission of Sewers, which be, or hereafter may be, ordered and chargeable, by any Laws, Ordinances, or Constitutions, made, or to be made, by Virtue of any such Commission, wherein he, or they, shall be named, or appointed Commissioner, or Commissioners, not having Estate, of Freehold, within the Realm of *England*, of, or in Manors, Lands, or Tenements, of the Yearly Value of Forty Pounds, shall at any Time hereafter, have Power to sit, or in any wise intermeddle with the Execution of such Commission or Commissions, during the Time he, or they shall continue, or, be such Farmer or Farmers, of any such Manors, Lands, or Tenements, and shall not have Estate of Freehold as is aforesaid; (2) but that every such Commission, as having Respect only to every such Person, or Persons, for such and so long Time, as he or they shall so be, and continue Farmer, or Farmers, of any such Manors, Lands, or Tenements, shall be deemed,

deemed, and adjudged in Law, to be as void and of Non-effect; any Thing in the same Commission, or any Statute, or Law, heretofore made to the contrary notwithstanding.

V. And be it further Enacted by the Authority aforesaid, That from henceforth the said Commissioners, or any of them, shall not be compelled, or compellable to make any Certificate, or Return of the said Commissions, or any of them, or of any of their Ordinances, Laws, or Doings, by the Authority of any the said Commissions, nor shall not have any Fine, Pain, or Amerciament, set upon them, or any of them, or any ways to be molested, in Body, Lands, or Goods, for that Cause.

There shall be no Certificate or Return of the Commission  
 1 Lev. 288.  
 1 Vent. 66, 67.

VI. And yet nevertheless to the Intent, the Queen's Majesty, our Sovereign Lady, her Heirs, and Successors, may at all Times hereafter, be truly answered, of all such Issues,

The Fines and Amerciaments shall be estreated into the Exchequer.

Issues, Fines, and Amerciaments, as shall happen, grow, or be forfeited by virtue of any such Commission, or by the Execution thereof<sup>(2)</sup>; **be it also Enacted**, That the Clerk, and Clerks appointed, and hereafter to be appointed, for, and in any such Commission and Commissions of Sewers, shall yearly, truly Estreat all the said Issues, Fines, Penalties, Forfeitures and Amerciaments, that shall be due and answerable to her Highness, her Heirs and Successors<sup>(3)</sup>; and the same Estreats, shall Yearly deliver into the Court of the Exchequer, at such Time and Times, and in such Manner and Form, as Justices assigned to, and for the Conservation of the Peace, in anywise should, or ought to do, by virtue of their Commission<sup>(4)</sup>, upon Pain to forfeit to our Sovereign Lady the Queen, her Heirs and Successors, for every Default in that Behalf made, Five Pounds.

VII. **Provided always**, That it shall be lawful for any Commissioner,

sioner, being also a Farmer, and not having Lands and Tenements, to the clear Yearly Value of Forty Pounds of Freehold, to sit by virtue of the said Commission, and have his Voice and full Authority with others, to make and establish Ordinances for Sewers, according to the Tenor of the Commission, touching and concerning, all Lands and Tenements, within the Precinct, of every such Commission, other than such Lands and Tenements, as he, or they, for the Time being, hold and enjoy, as Farmer, as he, or they might have done before the making of this Statute; any Thing therein contained, to the contrary <sup>3 Jac. 1. c. 14.</sup> notwithstanding.

In what Case a Farmer of Lands chargeable may be a Commissioner.