ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. XCVI.

An Act to enable the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex* to make a new Sewer at *Bayswater* in the County of *Middlesex*.

[13th *August* 1834.]

WHEREAS by His Majesty's Letters Patent, one under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date the Twenty-seventh Day of *August* in the First Year of His Majesty King *William* the Fourth, and the other under the Seal of the Duchy of *Lancaster*, bearing Date the Eighteenth Day of *September* in the said First Year of the Reign of His said Majesty King *William* the Fourth, the Most Reverend Father in God *William* Archbishop of *Canterbury*, *John Singleton* Lord *Lyndhurst*, then Lord High Chancellor of *Great Britain*, *Henry Charles* Duke of *Beaufort*, and others therein named, have been appointed Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*: And whereas by virtue of an Act made and passed in the Forty-seventh Year of the Reign of King *George* the Third, intituled *An Act to enlarge the Powers and extend the Jurisdiction of the Commissioners of Sewers for the City and Liberty of* Westminster *and Part of the County of* Middlesex, the Jurisdiction of the said Commissioners was extended to and over the Walls, Ditches, Banks, Gutters, Sewers, Gotes, Causeys, Bridges, Streams, and Watercourses of the City of *London* as therein mentioned, extending to and including amongst others the Parishes of *Saint John Hampstead*, *Paddington*, and such Part of the Parish of *Willesden* as is drained by the Watercourses therein mentioned:

Letters Patent, dated 27th August 1 W. 4., and 18th Sept. 1 W. 4.

47 G. 3. c. 7.

mentioned: And whereas by reason of the Increase of Buildings, and various Improvements made and intended to be made in the Parts of the Parishes of *Saint Mary Paddington*, *Saint Mary-le-bone*, *Saint John Hampstead*, and *Willesden*, lying on the North Side of the Road leading from *Oxford Street* to *Uxbridge*, called the *Uxbridge Road*, it is expedient that the Drainage thereof should be altered, enlarged, and improved, and that the Soil Drainage of the *Bayswater* or *Westbourn Brook* should be diverted from the *Serpentine* River, and that for such Purposes the aforesaid Commissioners of Sewers should be authorized to make such Wear or Tumbling Bay and a Tunnel Sewer as is herein-after mentioned, and should have such Powers as are herein-after contained for raising one Moiety of the Monies necessary to defray the Expences of constructing the same; and it is reasonable that the other Moiety thereof should be defrayed out of the Land Revenues of the Crown, in consideration of the Advantages which the Property of the Crown will derive by the Diversion of the Soil Drainage from the *Serpentine* River: 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 said Commissioners of Sewers for the Time being, or such Number of them as are authorized to act by virtue of the said Commission of Sewers, shall, within Nine Calendar Months from the passing of this Act, cause to be constructed a Wear or Tumbling Bay of the Height of Two Feet across the said Brook called the *Bayswater* or *Westbourn Brook*, at or near the Spot where the said Brook crosses the Road at *Bayswater*, and shall also cause to be constructed a Tunnel Drain or Sewer from such Tumbling Bay along the *Uxbridge Road* aforesaid to the Tunnel Sewer nearly opposite the End of *Albion Street*, *Uxbridge Road*, which passes through *Hyde Park* aforesaid, and communicates with the open Watercourse or Sewer called *Ranelagh Sewer*, so that all the Water Drainage and Soil passing down the said Brook (and not passing over such Wear) may pass along such Tunnel Sewer so to be made as aforesaid, such Tunnel Sewer to be Six Feet high and Four Feet Six Inches wide at the least, and to be constructed in all other respects as the said Commissioners shall think fit; and the same and the Tumbling Bay, when finished, shall become Part of the Public Sewers under the Jurisdiction of the said Commissioners.

Commissioners of Sewers empowered to make a Wear and Sewer.

II. And be it further enacted, That for the Purpose of carrying this Act into effect the said Commissioners of Sewers shall have full Power and Authority by virtue of this Act to enter upon any Part of the said Road, and to cause to be constructed in any Part thereof all such Works as the said Commissioners shall deem necessary for effecting the Purposes of this Act.

Commissioners empowered to enter upon Premises for the Purposes of the Act.

III. And be it further enacted, That for the Purpose of carrying into effect the Powers and Directions in this Act contained the said Commissioners of Sewers shall have all and every the Powers which they possessed before the passing of this Act, either by virtue of the aforesaid Commission, or of any Law, Statute, or Usage now in force, and such Powers shall be applicable to this Act.

Commissioners of Sewers to have the same Powers as before the passing of the Act.

IV. And

Commissioners empowered to borrow Money from Exchequer Loan Commissioners.

IV. And be it further enacted, That for defraying One Moiety of the Expences of the Works hereby directed to be done, the said Commissioners of Sewers may from Time to Time borrow and take up at Interest, on the Credit of the Rates to be made and levied by virtue of this Act or of any other Act now in force, any Sum or Sums, not exceeding in the whole the Sum of Three thousand five hundred Pounds, from the Commissioners for carrying into execution an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, and several subsequent Acts for extending and amending the Powers for the issuing of Exchequer Bills for Public Works; and the said last-mentioned Commissioners are hereby authorized and required to advance and lend the same accordingly. 57 G. 3. c. 34.

Rate of Interest to be paid.

V. And be it further enacted, That Interest shall be paid on the Amount of the Money so to be advanced by the said Commissioners for issuing Exchequer Bills to the Commissioners acting under this Act, or on so much thereof as shall for the Time being remain due and unpaid, after the Rate of Four Pounds *per Centum per Annum*, any thing in the said Acts for the issuing of Exchequer Bills, or any of them, to the contrary notwithstanding; and that the Principal Money so advanced shall be repaid by Twenty equal yearly Instalments, the first of such Instalments to be paid at the Expiration of Twelve Calendar Months from the Time of advancing the said Money.

Commissioners of Sewers empowered to levy Rates.

VI. And be it further enacted, That it shall and may be lawful for the said Commissioners of Sewers acting under this Act, and they are hereby authorized and required, to make, impose, and levy on all Lands, Houses, Shops, Warehouses, Coach-houses, Stables, or other Buildings, Yards, and Gardens within the said Parishes of *Saint Mary Paddington* and *Saint Mary-le-bone*, and the Parishes of *Saint John Hampstead* and *Willesden*, in the said County of *Middlesex*, draining into or using or in any way benefited by the said *Bayswater* or *Westbourn Brook*, or which Lands, Houses, Shops, Warehouses, Coach-houses, Stables, or other Buildings shall or may drain into, use, or in any way be benefited by the same, or drain into or use or in any way be benefited by the Tunnel Sewer hereby directed to be made, in the Opinion of the said Commissioners of Sewers, all such Rates, Taxes, or Assessments as shall be necessary for the Repayment of the said Principal Sum or Sums of Money so to be borrowed as aforesaid, and the Interest thereon, and after such Rate, and in such Proportions, and in such Manner as they shall think fit.

Commissioners of Sewers empowered to assign Rates.

VII. And be it further enacted, That it shall and may be lawful for the said Commissioners of Sewers from Time to Time, by Writing under their Hands and Seals, or of any Six or more of them, to assign all or any Part of the said Rates, Taxes, or Assessments to the said Commissioners for issuing Exchequer Bills, on their advancing any such Sum or Sums as aforesaid, as a Security for the Principal Money so to be advanced, and the Interest for the same.

VIII. And

Commissioners of Woods and Forests may advance any Sum not exceeding 3,500*l.* for defraying a Moiety of the Expences incurred under this Act.

VIII. And be it further enacted, That for defraying the remaining Moiety of the Expences of the Works hereby directed to be done, it shall be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of His Majesty, and they are hereby authorized and directed, to advance and pay to the said Commissioners of Sewers, out of the Funds of the Crown under their Control and Management, any Sum or Sums necessary for defraying One Moiety of the Expences of the aforesaid Works, not exceeding in the whole the Sum of Three thousand Five hundred Pounds.

A distinct Account to be kept of the Monies expended under this Act.

IX. Provided always, and be it further enacted, That the said Commissioners of Sewers shall and they are hereby required to keep a separate and distinct Account of all Monies expended by them in making and completing the said Sewer and other Works by this Act authorized to be made.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1834.

A

COLLECTION

OF THE

PUBLIC GENERAL STATUTES,

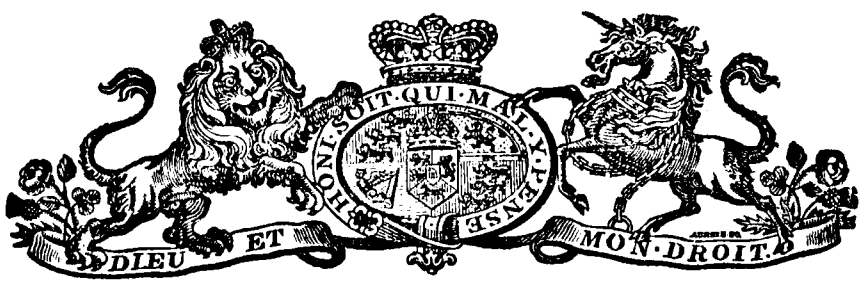
PASSED IN THE

Fourth and Fifth Year

OF THE REIGN OF HIS MAJESTY

KING WILLIAM the FOURTH:

Being the SECOND SESSION of the ELEVENTH PARLIAMENT of the United Kingdom of *Great Britain* and *Ireland.*



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