



ANNO VICESIMO PRIMO & VICESIMO SECUNDO

VICTORIÆ REGINÆ.

C A P. CIV.

An Act to alter and amend the Metropolis Local Management Act (1855), and to extend the Powers of the Metropolitan Board of Works for the Purification of the *Thames* and the Main Drainage of the Metropolis. [2d August 1858.]

WHEREAS it is necessary, with a view to the Health of the Metropolis, that Works should be speedily undertaken and completed for the Purification of the *Thames* and for the Improvement of the Drainage of the Metropolis, and for this Purpose it is expedient that the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, “for the better 18 & 19 Vict. c. 120. Local Management of the Metropolis,” should be amended: Be it 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. The Metropolitan Board shall cause to be commenced as soon as may be after the passing of this Act, and to be carried on and completed with all convenient Speed according to such Plan as to them

The Metropolitan Board of Works to commence

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Sewerage
Works as
soon as may
be.

them may seem proper, the necessary Sewers and Works for the Improvement of the Main Drainage of the Metropolis, and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the River *Thames* within the Metropolis.

Metropolitan
Board may
construct
Works on
the Shores
and Bed of
the *Thames*.

II. The Metropolitan Board of Works, for the Purposes of this Act, may construct any Work through, along, over, or under the Bed and Soil and Banks and Shores of the River *Thames*, making Compensation to all Persons having any Interest in any Wharfs, Jetties, or other Property damaged by such Works, as provided by the said Act of the Eighteenth and Nineteenth Years of Her Majesty in respect of Property injured under the Powers of such Act.

Powers of
taking Land
to apply for
the Purpose
of deodo-
rizing
Works.

III. The Powers of taking Land given by the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and all other Powers in such Act and this Act in relation to Sewerage Works, shall extend and be applicable as well to Works for deodorizing Sewage as to all other Works under this Act, either within or beyond the Limits of the Metropolis, and all such Works shall be deemed Works for the Purpose of the Sewerage or Drainage of the Metropolis.

Metropolitan
Board of
Works may
(before 1865)
raise the
Sum of
Three
Millions by
Bonds or
Debentures.

IV. The Metropolitan Board of Works may, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time after the passing of this Act, but not later than the Thirty-first Day of *December* One thousand eight hundred and sixty-four, borrow on such Bonds, Debentures, or other Securities, and at such Rate of Interest, and upon such Terms as to the Time of Repayment and otherwise, as such Commissioners may approve, any Sum or Sums of Money not exceeding in the whole the Sum of Three million Pounds for the Purposes of this Act.

Power to
raise Money
for Repay-
ment of
Principal
Moneys.

V. Upon or for the Repayment of the Principal Money secured under the Authority of this Act, or any Part of such Money, the said Metropolitan Board may, with such Consent as aforesaid, at any Time borrow on such Bonds, Debentures, or other Securities as aforesaid all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money for the Time being secured under this Act may require to be repaid; but the Amount to be secured by new Securities shall not in any Case exceed the Principal Money required to be repaid.

The Trea-
sury may
guarantee
Payment of
Moneys bor-
rowed.

VI. It shall be lawful for the Commissioners of Her Majesty's Treasury to guarantee the Payment of the Principal and Interest of any Money borrowed under this Act, and all Bonds, Debentures, and Securities issued under this Act, the Payment of the Principal and Interest

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Interest secured whereby is intended to be so guaranteed, shall be signed by such Officer as the Commissioners of Her Majesty's Treasury may in this Behalf from Time to Time appoint.

VII. All Bonds, Debentures, and Securities issued under the Authority of this Act, and all Right to and in respect of the Principal Moneys secured thereby, and all Interest due and accruing thereon, shall be transferable by the Delivery of such Bonds, Debentures, and Securities respectively. Securities transferable by Delivery.

VIII. The Metropolitan Board of Works shall cause a separate Account to be kept of the Money borrowed by such Board under this Act, and all such Money, except Money borrowed for Repayments as herein-before provided, shall be applied in Payment of the Expenses of and incidental to the Works to be executed under this Act, and to no other Purpose; and the Auditor appointed by the Secretary of State shall, upon his Audit of the Accounts of the said Board in every Year, cause a separate Abstract and Statement to be prepared of the Receipt and Expenditure of the said Board under this Act, which shall be laid before Parliament as directed concerning his other Abstracts and Statements. Money borrowed under this Act to be applied only to Works under this Act.

IX. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to appoint an Engineer or Engineers to inspect the Works to be constructed under this Act, and to report to such Commissioners in relation to the Expenditure thereon; and such Engineer or Engineers shall have full Power and Authority at all reasonable Times to enter upon such Works, and survey and inspect the same, and to inspect the Accounts of the said Metropolitan Board in relation thereto, for the Purpose of reporting as aforesaid. Appointment of Inspecting Engineers.

X. The Metropolitan Board of Works shall during Forty Years from the Time of the passing of this Act assess and cause to be raised in each Year, upon the City of *London* and the other Parts of the Metropolis, for the Purposes of this Act, such Sums as, in their Judgment, will be equivalent to a Rate of Threepence in the Pound upon the annual Value of the Property in the said City and other Parts respectively, estimated according to the Estimate or Basis on which the County Rate is assessed, or according to a like Estimate; and the Sums to be so assessed in each Year may be assessed at One Time or at several Times, as the said Board may think fit. Metropolitan Board of Works to levy a Rate of Threepence in the Pound on the Property in the Metropolis."

XI. In the Assessments of the said Metropolitan Board under this Act, and in their Precepts, and in the Orders of Vestries and District Such Rate to be called "the Metropolis Main

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Drainage
Rate."

District Boards to be made in respect of such Assessments, such Sums shall be distinguished as being assessed for "the Metropolis Main Drainage Rate," and all such Sums assessed upon the City of *London* shall be reimbursed to the Chamberlain of the said City by means of a separate Rate to be called "the Metropolis Main Drainage Rate," to be levied under the Direction of the Commissioners of Sewers of the said City, in like Manner and subject to the like Provisions as any Rate which such Commissioners are authorized to direct to be made under any Act relating to the Sewerage of the said City, and all such Sums assessed on other Parts of the Metropolis shall be levied by means of a separate Rate to be called "the Metropolis Main Drainage Rate," in like Manner and subject to the like Provisions as the Sewers Rate to be made under the said Act of the Eighteenth and Nineteenth Years of Her Majesty; and the Assessments of the said Metropolitan Board under this Act shall include the Places mentioned in Schedule (C.) to the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and the Sums to be assessed thereon shall be raised by means of Rates to be made and levied as therein provided in respect of the raising of Moneys assessed by the said Board.

All Parts of
the Metro-
polis to be
deemed to
be equally
benefited.

XII. For the Purposes of the Assessments under this Act, all the Parts of the Metropolis shall be deemed to be equally benefited by the Expenditure under this Act.

Assessments
and Precepts
may be
according
to Form in
Schedule.

XIII. The Assessments to be made by the Metropolitan Board of Works, and the Precepts for obtaining Payment of any Monies assessed thereby, may be according to the Forms contained in the Schedule to this Act or to the like Effect.

Provisions
applicable to
other Assess-
ments of the
Metropolitan
Board to be
extended to
Assessments
under this
Act.

XIV. All the Provisions of the said Act concerning the Estimate on which Assessments by the said Metropolitan Board shall be made, and for and in relation to the assessing, raising, and enforcing Payment of the Sums assessed by the said Board, shall, subject to the Provisions of this Act, extend and apply to and in the Case of all Sums to be assessed by the said Board under this Act; provided that the Metropolis Main Drainage Rate, and the Sums assessed or raised for or in respect thereof, shall not be subject to any Mortgage or Security made or to be made by the Metropolitan Board of Works, other than Securities under this Act; but, save as aforesaid, the Powers of borrowing and of assessing and rating vested in the said Board before the passing of this Act shall not be prejudiced or affected by this Act.

XV. The

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XV. The said Metropolitan Board may, in case of any Default or Neglect of any Vestry, District Board, or other Body or Person to pay the Amount required by any Precept of the said Board, or any Part of such Amount, within such Time and in such Manner as may be mentioned in such Precept in that Behalf, raise and levy the Money required by the said Board for the Purposes of this Act in any Parish, District, or Part, and for that Purpose may make and levy a Rate of such Amount in the Pound on the annual Value of the Property rateable, as will, in their Judgment, having regard to all Circumstances, be sufficient to raise the Money so required as aforesaid; and such Rate shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in such Parish, District, or Part, subject to the Provisions in the said Act of the Eighteenth and Nineteenth Years of Her Majesty contained concerning the levying of Monies by Overseers in pursuance of Orders made upon them by Vestries under the said Act, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Board may appoint One or more Collectors for levying any such Rate, and pay him or them any Salary, Poundage, or Allowance in respect of their Employment under this Enactment which such Board may deem just and reasonable, and shall take such Security from every such Collector for the due Execution of his Duty as they shall think reasonable and proper; and the said Board, and the Collector or Collectors to be appointed by them, shall have the same Powers, Remedies, and Privileges as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to the same Provisions in relation to Appeal and to excusing Persons from Payment on account of Poverty and otherwise, as the Rate for the Relief of the Poor; and all the Expenses of and incidental to the preparing, making, collecting, and levying any such Rate shall be raised and levied by the said Metropolitan Board in addition to but as Part of the said Rate; and after Deduction by the said Board of the Expenses, all Monies levied or received under or in respect of the said Rate shall be paid by the said Board into the Bank of *England* to the same Account and for the same Purposes as hereinafter mentioned concerning Monies payable under the Precepts of the said Board in respect of the Metropolis Main Drainage Rate; provided also, that the Provisions of Sections One hundred and sixty-three, One hundred and sixty-four, and One hundred and sixty-nine of the said Act of the Eighteenth and Nineteenth Years of Her present Majesty shall be applicable to every Rate under this Act.

Rates to be made by Metropolitan Board on default of Vestries, &c. in Payment of Precepts.

XVI. The Provisions of Section One hundred and seventy-one of the said Act of the Eighteenth and Nineteenth Years of Her

Extension of Provisions as to Majesty, Inspection,

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**&c. of
County
Rates to
other Rates
and Taxes.**

Majesty, for enabling the Clerk or other Person or Persons authorized by the Metropolitan Board of Works to inspect or take Copies of or Extracts from County Rates, Bases, Returns, and other Documents, and the Penalties by the said Enactment prescribed in the Case of Neglect or Refusal to permit any such Clerk or Person to inspect or to take Copies or Extracts, are hereby extended and made applicable to all other Rates and Assessments, whether parochial or otherwise, within the several Parts of the Metropolis, and the Books in which the same are contained, and the Valuations and Returns relating thereto, and the Person or Persons having the Custody or Control thereof.

**Metropoli-
tan Board
may require
to be fur-
nished with
Copies of
Poor Rates.**

XVII. It shall be lawful for the said Board, by Order in Writing, to require the Vestry Clerk, Overseer, Collector, or other Person having the Custody or Control of any Rate for the Relief of the Poor in any Parish or Place, to furnish within such Period, not being less than Seven Days, as shall be limited in such Order, or of such Part or Parts of the said Rate as shall be specified in such Order, on Payment or Tender for such Copy at the Rate of Sixpence for every Twenty-four Names (inclusive of all the Particulars in the several Columns of the Rate, so far as such Particulars have reference to such Names respectively); and the said Copy shall be examined by and signed by such Vestry Clerk, Overseer, Collector, or other Person, and shall be verified by his solemn Declaration, if the said Board shall require the same, which solemn Declaration any Justice of the Peace, or Commissioner duly authorized, is hereby authorized to administer; and any Person having the Custody or Control of such Rate who shall refuse or neglect to make and deliver to the said Board, or any Person by them authorized to receive the same, such Copy or Extract, or to make such solemn Declaration as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds for every such Offence, and to a further continuing Penalty of Ten Pounds for each and every Day during which the said Offence shall be continued.

**Moneys
arising from
the Rate to
be paid into
a separate
Account in
the Bank of
England.**

XVIII. An Account shall be opened in the Books of the Governor and Company of the Bank of *England* for the Purposes of this Act, in the Names of such Officers or Persons as the Commissioners of Her Majesty's Treasury may direct, and such Account shall be deemed a Public Account, and all the Moneys payable under the Precepts of the Metropolitan Board of Works in respect of the Metropolis Main Drainage Rate shall be paid into the Bank of *England* to such Account, and the Dividends and Income arising from the Investments of any such Moneys under this Act, and the Produce of the Sale from Time to Time of such Investments, and all Moneys borrowed
for

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for Repayment, until applied for that Purpose, shall be paid into the Bank of *England* to the said Account.

XIX. All Moneys paid to the Credit of the said Account shall be from Time to Time applied in Payment of the Interest of the Moneys borrowed under this Act, and subject thereto in or towards Payment of any Moneys so borrowed which for the Time being may be payable, or the Purchase of Bonds, Debentures, or Securities whereby any such Moneys are secured, for the Purpose of the Extinction thereof; and any Surplus, after answering the Purposes aforesaid, shall be invested in Government Securities in such Manner as the Commissioners of the Treasury may think fit and direct, and such Investments shall be sold when and as the said Commissioners of the Treasury may direct.

Application
of Moneys
paid into
the Bank
of England.

XX. Provided always, That the Commissioners of Her Majesty's Treasury may authorize any Money standing to the Credit of the said Account in the Bank of *England*, not exceeding in the whole the Amount remaining to be raised of the said Sum of Three million Pounds, to be paid to the Metropolitan Board of Works, to be applied as any Money to be raised by Loan under this Act is applicable: In such Case the Amount which would otherwise have remained raisable under this Act shall be reduced by the Sum or Sums so authorized to be paid to the Metropolitan Board of Works as aforesaid.

Moneys
arising from
Rates may
be applied
in lieu of
Money to be
raised by
Loan.

XXI. For the Purpose of giving effect to such Guarantee as herein provided, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, such Sums as may be necessary for Payment of such Principal and Interest as may from Time to Time be payable in aid of any other Moneys applicable for that Purpose under this Act; and in case any Principal or Interest payable under this Act shall be paid out of the said Consolidated Fund, such Commissioners shall cause any Money so paid to be repaid to the said Consolidated Fund out of any Moneys which may have arisen or may arise from the Rates levied under this Act or the Investment thereof.

Payment in
pursuance of
Guarantee.

XXII. If the whole Amount raisable under this Act shall have been raised and paid off by means of the Rates levied under this Act before the Expiration of the said Period of Forty Years, the Metropolitan Board of Works, with the Consent of the Commissioners of Her Majesty's Treasury, shall discontinue the Assessment for "the Metropolis Main Drainage Rate;" and any Surplus of the Moneys arising from the Rates levied under this Act which may remain

The Rate
under this
Act may be
determined
when the
Money bor-
rowed is
repaid.

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remain after such Payment shall be applicable towards defraying the Expenses of the said Board.

Metropolitan Board to deodorize Sewage, and defray Expenses as under 18 & 19 Vict. c. 120.

XXIII. The Metropolitan Board of Works, in the meantime and until the Works required by this Act for the Purification of the River *Thames* are completed, may do all such Works and apply all such Means as they may deem proper for deodorizing such Sewage or otherwise protecting the Public Health from any injurious Consequences therefrom, and may defray the Expenses incurred for this Purpose as the Expenses incurred by the said Board under the said Act of the Eighteenth and Nineteenth Years of Her Majesty are therein directed to be defrayed.

Board to execute Works so as not to create a Nuisance.

XXIV. The said Metropolitan Board shall cause all Works to be executed under this Act to be constructed and kept so as not to be a Nuisance, and shall, in deodorizing any Sewage, and in disposing of any Sewage or Refuse from Sewers, act in such Manner as not to create a Nuisance.

Enactments requiring the Approbation of the Commissioners of Works, &c. repealed.

XXV. Section One hundred and thirty-six of the said Act, and so much of Section One hundred and forty-four of the said Act as provides "that before the Metropolitan Board of Works commence any such Works the estimated Expense whereof shall exceed Fifty thousand Pounds, the Plan of such Works, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings, and no such Plan shall be carried into effect until the same has been approved by such Commissioners, and no such Works shall be commenced in Cases where the estimated Expense thereof shall exceed the Sum of One hundred thousand Pounds, without the previous Sanction of Parliament," shall be repealed.

Time for Completion of Works extended to End of 1863.

XXVI. The Time limited by Section One hundred and thirty-five of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, for the Completion of the Sewers and Works necessary for preventing the Sewage of the Metropolis from passing into the River *Thames* in or near the Metropolis, shall be extended to the Thirty-first Day of December One thousand eight hundred and sixty-three.

Works, &c. to be approved of by the Admiralty.

XXVII. No Works upon the Bed or Shores of the said River *Thames* below High-water Mark which may interfere with the Navigation of that River shall at any Time be commenced or executed under the Provisions of this Act without the same having been previously approved of by the Lord High Admiral, or the Commissioners

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Commissioners for executing the Office of Lord High Admiral, such Approval to be from Time to Time specified in Writing under the Hand of the Secretary to the Admiralty.

XXVIII. In order to preserve the Navigation of the River *Thames*, the Plans of any Work to be constructed under the Authority of this Act upon the Banks, Bed, or Shore of the River *Thames*, which may interfere with the free Navigation of the said River, shall be approved by the Conservators of the River *Thames*, in Writing signed by their Secretary, before such Works are commenced, certifying that the Works according to such Plans will not interfere with the Navigation of the River *Thames*.

Works upon
Shore of
the River
Thames to
be approved
by the Con-
servators of
the River
Thames.

XXIX. Nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights of the Conservators of the River *Thames*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Conservators did or might lawfully claim, use, or exercise, so far as such Rights, Power, Authority, or Jurisdiction may be exercised for preserving the free Navigation of the River *Thames*.

Saving
Rights of the
Conservators
of the River
Thames.

XXX. No Works under or over the main navigable Channel of the River *Lea* shall at any Time be commenced or executed under the Provisions of this Act without leaving the Top of any Work under the Navigation not less than Twelve Feet below High Water, *Trinity* Standard, and for any Work over any Part of the Navigation without leaving the Soffit of such Work not less than Eight Feet Six Inches above High Water, *Trinity* Standard, with a clear Span over the said River, inclusive of the Towing-path thereof, of not less than Fifty-four Feet; provided that it shall be lawful for the Trustees of the River *Lea*, by Writing under their Common Seal, on the Application of the Metropolitan Board of Works, to consent to an Alteration or Variation of the said Dimensions or either of them.

Regulation
of Works
under or
over the
River *Lea*.

XXXI. It shall be lawful for One of Her Majesty's Principal Secretaries of State, at his Discretion, on Representation or Complaint made to him of any Nuisance committed in execution of any Works, or in deodorizing any Sewage, or in disposing of any Sewage or Refuse from Sewers, or in any other Manner under this Act, to cause Inquiry to be made into the Matter represented or complained of to him, and to direct such Prosecution or Prosecutions, or to take such other Proceedings as he may think fit, in order to ensure the Prevention or Abatement of such Nuisance as aforesaid.

On Com-
plaint of
Nuisance
committed in
execution
of Works,
Secretary of
State may
order Pro-
secution.

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Interpreta-
tion of
Terms.

XXXII. In the Construction of this Act the Expression "deodorize" shall be deemed to include any Process whereby the solid suspended Matters in Sewage may be precipitated or separated from the Liquid before the Discharge thereof, or whereby the noxious or offensive Properties of Sewage may be neutralized; and the Expression "Sewage" shall mean and include the Contents of the Sewers before the Employment of such Process.

Recited Act
and this Act
to be as One.

XXXIII. The said Act of the Eighteenth and Nineteenth Years of Her Majesty and this Act shall be read together as One Act.

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SCHEDULES.

SCHEDULE A.

Form of Assessment by Metropolitan Board of Works.

An Assessment by the Metropolitan Board of Works in exercise of the Powers vested in such Board by the Act of the Nineteenth Year of Queen Victoria, for the better Local Management of the Metropolis, and by the other Acts for amending the same, upon the City of London and the other Parts of the Metropolis, for the "Metropolis Main Drainage Rate," of the Sums herein-after specified, such Sums being in the Judgment of the said Board equivalent to a Rate of Threepence in the Pound upon the annual Value of the Property in the said City and other Parts respectively, estimated according to the Estimate or Basis on which the County Rate is assessed, or according to a like Estimate:—

Parish, District, or Part.	Sums assessed.
City of London - - - - -	£
Parish of St. Marylebone - - - - -	

SCHEDULE B.

Form of Precept by Metropolitan Board of Works.

To the Vestry of the Parish of .

By virtue of an Act passed in the Nineteenth Year of Queen Victoria, for the better Local Management of the Metropolis, and the several Acts amending the same, the Metropolitan Board of Works do issue this their Precept, under their Common Seal, to you the said Vestry, and do hereby require you to pay, on or before the
Day of into the Bank of England, to the
Credit of the Account standing in the Books of the Governor and Company of the said Bank in the Names of
the same being Persons duly appointed by the Commissioners of Her Majesty's Treasury in this Behalf, the Sum of
assessed by the said Board upon the said Parish for the "Metropolis Main Drainage Rate."

Dated this

Day of .

(L.S.)

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE
Printers to the Queen's most Excellent Majesty. 1853.