

VIII. It shall be lawful for the said Commissioners, by an order in writing, to direct a certain sufficient sum of money to be paid by the said land owner to the said Engineer, in compensation of the time, labor, and expenses of the said Engineer, in reference to the inspection and report of the said works, at such time, and in such manner, as in such order shall be expressed.

Remuneration of Engineer.

IX. After the execution of the said works, it shall be lawful for the said Commissioners to cause the works described in such contract or specification, to be examined by an Engineer, and if on such examination the works are found to have been well and properly executed, the said Engineer shall return to the Commissioners a report of the said works, certified under his hand, with a tabular statement in form given in Schedule (C) of all the work done in relation to the said contract or specification, and after such inspection and report the Commissioners shall, by order under their seal called the Final Order, according to form in Schedule [D] certify and declare if such shall be the case, that the whole of the works mentioned in such contract or specification have been executed, and the amount of the costs, charges and expenses properly incurred preparatory to, or in relation to, and consequent on the contract and execution of the said works as ascertained and certified by the final inspection and report of the engineer are thereby absolutely charged upon the lands so improved as aforesaid.

Final order on completion of the works.

X. Upon the granting of the said Final Order, every such charge shall be a valid and indefeasible charge, upon the land comprised in the grant thereof, by the said Commissioners, subject only to local rates, and prior to all other charges, whatsoever; Provided always, that every such charge shall be redeemable on payment of all principal money, interest and costs; and provided also, that on all money so made chargeable as aforesaid, there be paid an interest not exceeding eight per cent per annum, and that the principal money so advanced, shall be repaid by a Sinking Fund of not less than two per cent. per annum, as shall be specified in the said Final Order; that all grants of rent-charges to be made in pursuance of this Act, shall be registered in the Registry Office of the County in which the lands drained are situated, and shall be liable to be postponed in point of priority, to subsequent deeds and conveyances, in the same manner, and to the same extent, respectively, as if such grants were made by absolute owners, and without reference to this Act.

Effect of such final order

Proviso.

XI. All such rent-charges shall be recoverable by the ordinary means of entry and distress, in like manner as any annual or other rent payable out of the same lands would be recoverable.

Recovery of rent charges.

XII. Every land owner in possession of any lands drained under the provisions of this Act, shall be bound to pay the yearly or other periodical payments of such charge, which become payable during the continuance of his interest, and no person entitled in remainder or reversion, and becoming entitled in possession, shall be liable to pay any arrears of the charge remaining unpaid at the time of his estate or interest in remainder or reversion becoming an estate or interest in possession exceeding the amount of two year's payment of such charge, and the amount paid by such person in respect of such arrears, and any costs occasioned by non-payment thereof, shall be a debt from the person who, in the first instance, ought to have paid the same or from his estate, to the person who paid the same, and shall be recoverable accordingly.

Payment of rent charge to be made by person in possession.